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THE NATION

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And Its Metamorphoses

John Simon

The Sherrod Library
EAST TENNESSEE STATE UNIVERSITY
Johnson City, Tennessee

LETTERS

Campaign kitty

Jackson Heights, N.Y.
 Dear Sirs: I am surprised that Ian Sclanders in "Politics: The Rich Man's Game" (*The Nation*, Mar. 2) did not mention another remedy. This is to have the government underwrite the cost of all campaigns for federal offices. They could do this by either forcing—or subsidizing—the television and radio stations to give not only "equal time," but also free time to all candidates. They could set aside a sum of money to be available to all candidates, with different maximums for the various offices. This maximum could be set so that even though some candidates would spend more of their own money . . . money spent above this maximum would not lead to a proportional increase in effective coverage. If Congress ever gets bold enough to set this program up for federal offices, I believe that state and local governments will have to follow for local offices. I also believe that sufficient safeguards can be written into the law setting up this program so that the nonincumbent office seekers will not be handicapped by being up against partisans of the party in power.
 Philip Siekevitz

Hunt and COPE

Washington, D.C.
 Dear Sirs: In "Portrait of a Super-Patriot" by Robert G. Sherrill (*The Nation*, Feb. 24) you attack H. L. Hunt's radio program *Life Line* on the ground that it is neither a nonpartisan nor a nonprofit organization, and therefore should be stripped of its tax-exempt status. Yet in the same issue you encourage COPE, the nonpartisan political arm of the AFL-CIO, to "reward" the friends of organized labor and "discourage" its enemies, whether they be Republican or Democratic. In your COPE editorial you find nonpartisanship to be the promotion of one viewpoint, in this case labor, and partisanship the promotion of a party. Yet in your H. L. Hunt article nonpartisanship depends upon the presentation of opposing viewpoints, and partisanship as the promotion of only one viewpoint, in *Life Line*'s case the conservative viewpoint.

If the first definition is accepted, then there is nothing at all wrong with H. L. Hunt and *Life Line* spreading the conservative, pro-business viewpoint, just as there is nothing wrong with COPE and "Edward P. Morgan and the News" promoting the liberal, pro-labor attitude. . . . If, however, we accept the second definition, then both violate the "nonpartisan" prerequisite and should not be tax-exempt. . . .

Secondly, you objected to *Life Line*'s "nonprofit" status in light of the free, tax-exempt advertising that Mr. Hunt and his fellow "patriots for profit" derive from sponsoring the programs. On the other hand, it cannot be denied that the "nonprofit" AFL-CIO, through COPE and Mr. Morgan, profits by electing pro-labor Congressmen and by arousing pro-labor sentiment among the American people. Then, can it be said that one has profit as its aim, and not the other?

This is either an error on someone's part or possibly is an indication that *The Nation* finds the law applicable only in instances where it favors *The Nation*'s political viewpoints. . . .

Donald Knapp Jr. and John Laytham
 Georgetown University

Merit of Twayne

Fort Wayne, Ind.
 Dear Sirs: When I read Prof. Kermit Vanderbilt's "Publication Exposition" (*The Nation*, Mar. 2) I . . . was impressed by the fact that, despite his low opinion of Twayne's United States Authors Series, he devoted more space to it than to any of the three series mentioned. . . .

Moreover, an analysis of the article indicates . . . that Prof. Vanderbilt is uninformed about the intent of the series and that he is unobjective enough not to have considered what other scholar-critics of merit have stated about the value of the series. . . . Worst of all, Prof. Vanderbilt reveals that he is snobbish and superior in his attitudes. . . .

Prof. George Knox of the University of California states in the *Western Humanities Review* (Spring, 1963): "It is evident to anyone who has read several of these books that this is a carefully planned and controlled enterprise. . . . It is obvious that they are valuable for undergraduate and graduate bibliographical and research work. They may sometimes fall short of serving the specialist to any important degree, but the spectrum is great and the scholarship conscientious. . . ."

The books in the Twayne Series which Prof. Vanderbilt found of any value at all were those written by the already recognized scholars of American literature. This snobbish predilection is reinforced by his statement that a competing series has authors "whose names, in many cases, are naturally linked to their subjects. . . ." As editor of this series, I believe firmly that young scholars of merit should be given an opportunity to be published and read. . . .

Prof. Sylvia E. Bowman
 English Dept., Indiana U.
 Editor, Twayne's U.S. Authors Series

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CORRECTION

A transposition of lines made gibberish of two sentences in Harold Clurman's column of March 9. The sentences should have read: "All this obtains as well in the other arts, but not at all to the same extent. The inconsequential novel and the important one hardly exist in the same world."
 —Editors.

A Job for the Peace Movement

Speaking of the nuclear test ban, Homer A. Jack, executive director of SANE, said, "It helped because it showed we weren't just tilting at windmills." He added, "But then, too, a lot of our people decided that peace had broken out and went back to their gardens and suburbs." These optimists, and all others in the peace movement, had better get back to work. Peace has not broken out; actually in the past few weeks there has been an appreciable rise in the chances of World War III becoming a reality before the end of 1964.

This is not to take President Johnson's "deeply dangerous game" threat at face value. It was as clumsy an attempt at psychological warfare as recent history affords. Nevertheless, the situation in South Vietnam is approaching its climactic phase in step with the approach of the American elections. By all indications there will be another change of government in South Vietnam; and the next coup, though it will be carried out by the military as before, will not be a mere change of military dictators. A neutralist regime will come to power, as the only alternative to chaos. This is a dismal prospect for the United States, as for any other Great Power so deeply committed to a losing cause. The difficulty and danger is compounded by the Presidential campaign, which normally mounts in demagogic intensity as November nears. Nor are appeals to recklessness limited to the politicians. *The Wall Street Journal*, a fairly sober organ, published on March 2 an editorial, "The Risks of Irresolution," which declared that "at least attacking the enemy's privileged sanctuary would be something decisive."

When "do something" psychology prevails, folly may be piled on folly. Under the pressure of the campaign it is quite possible that the war party in the Pentagon will persuade the President to resort to greater force in the hope of averting a setback. Let it not be forgotten that a U.S. nuclear strike to lift the siege of Dienbienphu was only narrowly averted in the Indo-Chinese war — and that was before American military forces were directly engaged. The pressures to use bombs on North Vietnamese targets will be much greater in the coming denouement. These would not necessarily be nuclear bombs at the outset, but TNT might escalate the war, bring in the USSR and China, and finally incinerate the American civilians so concerned with their gardens.

But still additional considerations are involved. Only Britain and Italy of fourteen allies in NATO are prepared in any way to support action by Washington that would mean an extension of the war to North Vietnam. More important, such an extension would be in itself an act of war in contravention of the United Nations Charter and the General Pact for the Renunciation of War, signed by the United States and various other na-

tions at Paris on August 27, 1928—a pact which we have never repudiated.

But only here and there, on a few campuses and in one or two communities, has there been any public expression against enlarged intervention in Vietnam. So here is a task for the peace forces — to let the election-beset Administration know in no uncertain terms what the people think of proposals to extend the war. It is a task which cannot be safely postponed, nor can it be undertaken in a spirit of sweet reasonableness. The peace movement is not much good if it cannot act quickly and resolutely at this juncture. When the crisis reaches its peak, it will be too late.

Wrong Priority

After some debate, the Senate decided, 57 to 19 with 24 abstentions, to take up the farm bill, otherwise known as the cotton-wheat bill, ahead of the civil rights bill. The principal mover on the cotton-wheat side was the majority leader, Senator Mansfield. Senators Javits and Keating carried the ball for the civil rights forces, and lost. The defeat is important in itself and may become decisive if it is permitted to prescribe future action. The reasons were well stated by Senator Keating, who pointed out that the Senators who have vigorously and interminably opposed the civil rights bill are passionately interested in a measure designed to increase the consumption of their constituents' cotton. Senator Mansfield, hailing from Montana, a wheat-growing state, had somewhat the same interest. He is not against civil rights, but he is for wheat — first.

If the cotton growers were not to get their subsidies on schedule, they might be willing to think about something other than the necessity for keeping "nigras" in their place. As it is, they and their Senators can continue in their traditional ways, at least for a while. It can be a long while if this same caper is kept going. At the pace at which Congress does business, there is always a backlog of legislation which is important to quite legitimate interests, or which provides for goodies that are especially vital in an election year. The double exemption which the Virgin Islands enjoy (\$200 duty-free imports as compared with \$100 from other places) expires on March 31. Senator Keating must do something for the Seneca Indians of New York, whose land is about to be inundated in violation of a treaty signed between the United States and the Seneca Nations in 1794. The land has been taken for a reservoir, and the Indians must be reimbursed and relocated. It is a human question, but civil rights is also a human question.

The only sound policy for the civil rights advocates is to persuade the Senate to defer all other business until the civil rights bill can be passed in uncompromised form. Then, if the Southerners filibuster, the

pressure will build up behind them as they hold up legislation dear to the hearts of other Senators, and perhaps to the hearts of their own constituents. If Senators Keating and Javits, and others of like mind, will renew their efforts to obtain priority for civil rights, the chances of passing a meaningful bill will be enhanced.

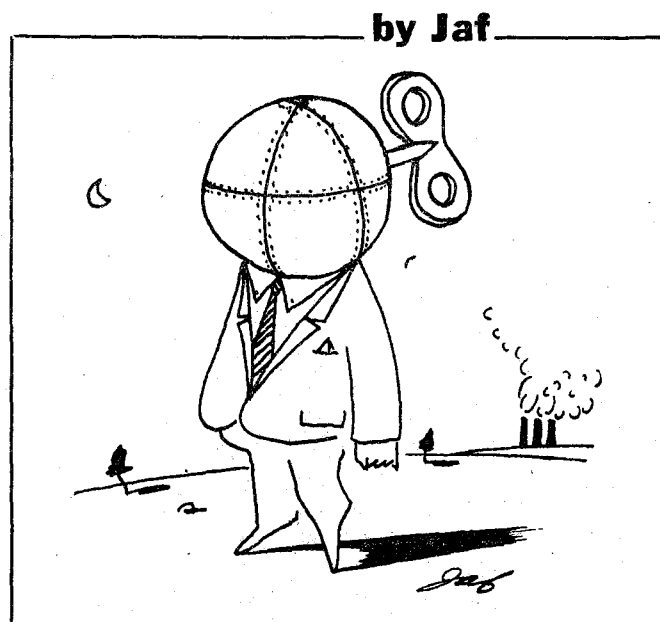
Back of the Dynamite

When President Johnson inveighed against the sabotage on the Florida East Coast Railway, he was on unassailable ground. The fools who think dynamiting freight trains will help their cause should be brought to book, not only for what they have done to the railroad, but for what they are doing to the labor movement. The unions that have been on strike for the past thirteen months, if any of their members were responsible for the dynamitings, should take lessons in nonviolent methods of resistance — and getting publicity. There are plenty of people in Florida who can teach them.

The manner of the President's intervention may, however, have the unfortunate effect of putting all the onus on the unions when most of it belongs on the shoulders of Edward Ball, chairman of the railroad and ruler of an empire of which the railroad is only a picayune part. (See "A Few Sticks of Dynamite" by Robert G. Sherrill, *The Nation*, March 9.) Ball is a capitalist relic of the Cleveland era, when labor organization was considered *ipso facto* sinful and public opinion was conditioned to regard the striker as a species of criminal. As Senator Morse says, Mr. Ball "thinks he is bigger than his government." That he is bigger than the government of Florida may be conceded; whether he is bigger than the government of the United States remains to be seen. A federal judge in Jacksonville has just ruled that the unilateral changes in work rules made by the railroad are in violation of the Railway Labor Act. That will probably not bother Mr. Ball too much, but other developments may disturb his equanimity.

Mr. Ball was a brother-in-law of Alfred I. duPont, who died in 1935, leaving an estate that has now become the Ball-duPont empire. The empire, based on Florida but extending interstate, has nothing to do with E. I. duPont de Nemours of Delaware, except that it owns 764,280 shares of duPont stock and 444,618 shares of General Motors. Together, at recent market prices, these are worth about \$235 million but still constitute only a part of the assets of the estate. More important is the leverage such wealth exerts. For instance, the thirty-one banks in which the estate owns majority stock control have assets of \$700 million.

Mr. Morse points out that the Bank Holding Company Act of 1956 was written to prevent giant combinations of banks and industrial corporations, but the Alfred I. duPont estate was exempted on the ground that it is a charitable foundation. And so it is, to a degree. According to Senator Morse, Ball's sister, Mrs. Jessie Ball duPont, last year received \$8,591,889.28 in annuities from the estate. She regularly assigns



about 12 per cent of her annuities to a foundation for crippled children. Last year this still left her with an income of \$7,584,862.57.

Mr. Ball does not get any of this money. He has his own fortune. In Senator Morse's words, he merely "uses and abuses the vast power given him by this unique combine of banks, industries, railroads, and real estate — plus over \$200 million of stock in two giant corporations." Mr. Morse charges that the Senate was misled when it exempted the estate from the provisions of the Bank Holding Company Act. If so, the Senate has the power to correct its misconception, and perhaps bring Mr. Ball's labor relations into the twentieth century.

Life in Liberty

Liberty, Miss., is a very small place. Louis Allen, a Negro laborer, lived there with his wife and four children. In 1961, he witnessed a rather ordinary incident — the shooting of a Negro by a white man. The victim was Herbert Lee and his slayer was E. H. Hurst, a member of the Mississippi legislature. Hurst said that Lee had threatened him with a tire iron and that he had shot in self-defense. A coroner's jury inquired into the shooting. Allen, the only witness, testified: "I didn't see no iron." He was shown a tool and asked, "Is this the piece of iron?" He said, "Yes." He gave the same testimony before the grand jury. Hurst was freed.

In 1962, Allen signed an affidavit stating that Hurst had killed Lee "without provocation." He was warned that local whites were out to "get" him. In an altercation with a deputy sheriff, he received a broken jaw. He asked the Department of Justice for protection. "If you'll give me protection," he is quoted as saying, "I'll let the hide fall with the hair." No protection came, but Allen continued to talk. In 1963, he told his story to an SNCC worker.

Last January, the Ku Klux Klan burned a series of crosses in the Liberty area. Allen decided to leave for

the North. Twelve hours before his scheduled departure he drove into his front yard. This was around 7:30 on the evening of January 31. His wife, in the cabin, heard shots. She was afraid to go out. The headlights of Allen's truck were on; gradually they dimmed. At about eleven, one of the children went out and found his father's body under the truck. He had been shot three times with a shotgun and one side of his head was blown off.

The *Free Press*, of Jackson, a little sheet that is making journalistic history in Mississippi, wrote it up. Nobody else, North or South, paid much attention.

Forgotten Miners

A significant but little noticed report on safety conditions in metal and mineral mines was submitted to Congress last November by Secretary of the Interior Stewart L. Udall. The report was based on a two-year study that had been authorized by Congress in 1961. Unlike coal mining, metal and mineral mining is not subject to inspection and enforcement of safety regulations by the U.S. Bureau of Mines. The Udall report exposes the shockingly hazardous conditions under which these miners earn a precarious living, and destroys the myth that state-administered safety programs afford sufficient protection. Federal mine inspectors found 544 mines in violation of state safety laws and codes, with a total of more than 4,000 violations uncorrected by state authorities. Coverage of state safety laws was found inadequate: 28 per cent of all miners in the United States were completely uncovered for one reason or another, and laws applicable to the other 72 per cent lacked provisions directed to modern hazards.

The mine operators' solicitude for their employees is not conspicuous in the Udall report. At 800 mines inspected in 1962, federal inspectors found more than 12,000 hazards. Written recommendations for correction of the situations were submitted in every instance. When the mines were re-examined months later, 57 per cent of the recommendations had not

been acted upon, and more than 2,000 new hazards were encountered.

The results of this indifference are appalling. Udall's report found that 212 miners were killed in 1962, 329 were permanently crippled and a total of over 10,000 men injured — or one out of every twenty-three men working in the industry. These injuries resulted in the equivalent of more than 7,000 man-years lost from work. Time lost due to injuries was more than double the time lost from strikes. Udall, moreover, was using data submitted by the owners, which seriously understate the number of disabling injuries.

Udall's report comes out strongly for a federal safety law for metal and mineral mines. A bill (S 1949, HR 7812) to establish a federal safety program for metal and mineral mines has been introduced by Senator Metcalf (Montana) and Representative Montoya (New Mexico). It is now pending before the House Education and Labor Committee and the Senate Interior Committee.

Low Blow

If *The Nation* kept a list of "least-admired" public figures in these United States, the name of Roy Cohn — who served as counsel for the late Senator McCarthy — would be close to the top. Nevertheless, we share the indignation of Mr. Cohn and his counsel, Thomas A. Bolan, at the disclosure that the U.S. Attorney's office ordered a "mail watch" on mail addressed to Mr. Cohn and his counsel after Mr. Cohn and other defendants had been named in a perjury and conspiracy indictment. Nor is it possible to excuse the action of the Assistant U.S. Attorney who first denied and then finally admitted that he had ordered such a watch. Of recent years the Department of Justice has shown a tendency to set aside the high standards which should be observed in all criminal prosecutions when it is particularly anxious to "get" a particular defendant. This latest instance of misplaced and vindictive zeal warrants full investigation and prompt disciplinary action.

Puerto Rico

THE MIGRATION REVERSES . . . A. W. Maldonado

San Juan
The exodus of Puerto Ricans to New York City and other parts of the United States has ended. For the United States, this means the end of the last great migration to its shores; for Puerto Rico it creates its most serious socio-economic challenge of this decade. The 1953

net migration, the difference between the number leaving and those returning, was an out movement of 70,000. In 1963, net departures were down to 4,798, and it is possible that a "boomerang migration" is now taking place—a massive return to this island.

The emigration decline has taken all local government planners by surprise. The Commonwealth Planning Board, two years ago, had pro-

jected an average migration during this decade of 40,000 a year. This was revised down to 15,000, when the board began to notice the downward trend, but in the first three years of this decade, annual net migration has averaged less than 5,000.

Why this failure of the predictions? The answer can be given in one word—"jobs." Statistics show a near-perfect relation between job-

A. W. Maldonado is Special News Editor of the *San Juan Star*.

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opportunity in the United States and the inflow of Puerto Ricans. During the 1950s, the Korean War created an acute labor shortage on the mainland and an average of 50,000 Puerto Ricans a year rushed to fill the vacuum. Before that, Puerto Rican migration fluctuated around an average of 20,000 a year, depending on whether the United States was prospering or in recession.

But even in the best years, "job opportunities" for Puerto Ricans always meant unskilled and semi-skilled work. Migrating Puerto Ricans had on the average less than five years of education; their knowledge of English ranged from none to bad; many came from rural areas of extreme poverty. A few educated and trained Puerto Ricans left for America, but the overwhelming majority were young, ambitious men and women who wanted to "make a life of their own" but who were unprepared for any except the most menial jobs.

Today, such jobs are disappearing in a United States that is going through a revolution of automation. The Puerto Rican is being squeezed out of the job market, not because he is a Puerto Rican, but because the work he did is being turned over to the machines.

Unemployment in the United States is at 4 million (5.5 per cent of the labor market) and still rising. The "war babies" of World War II are now beginning to pour into the labor market. Whereas in the 1950s, the U.S. population in the twenty to twenty-five-year group dropped by 400,000, in this decade, it is growing by 400,000 a year—4 million in the decade. Even if the

United States were completely free of prejudice against the Puerto Rican or Negro, both groups would have an extremely difficult time competing with American whites for jobs.

This situation can be seen most clearly in New York City, where 615,000 of the 900,000 Puerto Ricans in the United States have settled. The city labor department forecasts a 19 per cent drop in New York's unskilled employment in the 1960s. The garment industry, which has employed a large percentage of Puerto Rican women, is gradually leaving New York. In the last decade, 70 per cent of the industries that have left the city have been garment manufacturers.

If the young Puerto Rican is to lift himself out of poverty in New York, he must get an education or learn a skill. This reporter recently made a study to see just what is happening to the young Puerto Rican in the New York school system. I found that although Puerto Ricans comprise 16.5 per cent of the total city school population, less than 1 per cent of them are placed in the good, academic high schools. And it is virtually impossible for a student from a low-income family to get a college education (as at the City College of New York) unless he attends such a school.

Puerto Ricans, meanwhile, form 21.5 per cent of the students in the city's vocational high schools. But what is the future of these students? The Taconic Foundation, in a 1963 study called "Youth and Work in New York City," reported:

Almost two-thirds of vocational high school students drop out before graduation. Of the third remaining, from one-half to two-thirds find jobs in some way related to their high school training. Of these, many do not continue in the field. Only a small fraction who enter vocational high school get any realistic and practical preparation for work. . . .

The future of vocational graduates is uncertain, the outlook is very bleak for the nearly two-thirds of the entering vocational school population who drop out before graduation. . . .

Thus Puerto Rican migration has almost stopped because of conditions in the United States and not because of Puerto Rico's economic progress over the last two decades. Much has been written about Puerto Rico's economic success; how it has lifted its per capita income from

\$154 in 1940 to its present \$740. But none of this would have been possible if the 900,000 Puerto Ricans today living in the United States were still on the island. In the 1950 decade alone, half a million Puerto Ricans moved to the mainland—more than one-fourth of the island's entire population. The island's industrial program (there are 1,030 manufacturing plants on the island) and booming tourism (6,000 first-class hotel rooms) have certainly created new jobs. But this progress benefited those who have remained on the island. Puerto Rico is not a labor market for disillusioned Puerto Ricans in the United States—the island still suffers a 12.8 per cent unemployment rate.

In fact, the end of migration is producing one of Puerto Rico's most serious problems—its population explosion. During the years of great migration, Puerto Rico's natural population growth was held in check. From 1950 to 1960, population rose by only .6 per cent a year, one of the world's lowest rates. Today, population growth is at 2.4 per cent, one of the world's highest. If this continues, the island's 2.5 million population will double in less than thirty years.

Thus Puerto Rico is running hard just to keep up with the population. Despite the success of Operation Bootstrap, unemployment has not gone down from its 13 per cent level. In absolute numbers, it is growing: last year, it rose from 84,000 to 85,000. As in the United States, the bulk of this growth is taking place within the twenty to twenty-five age group—that is, the group arriving on the labor market.



The NATION

The strain is being felt in other areas of government responsibility. When government planners were counting on continued high migration to the United States, it was estimated that public school population would be 457,000 in 1970. School construction and programs were guided by this projection. Today the estimate is for a school enrollment of 757,000 by 1970—60 per cent higher than the original forecast.

Since no one here expects migration to go up again, there is no end in sight to the population explosion. The island's birth rate has gradually dropped down to 32.4 births per 1,000 population. This is still considered very high; furthermore, Puerto Rico's death rate is among the world's lowest — 6.7 per 1,000.

The Puerto Rican Government is aware of the problem, but has no idea what to do. Its policy toward migration has always been neutral. Once a Puerto Rican indicates he intends to migrate, he can receive help (such as special training in English) from the government. There is no indication that the government will begin promoting mi-

gration, particularly now that the United States is so concerned about its own unemployment.

Another solution is birth control, and here again the government maintains a hands-off policy. Many Point Four students from Asia and Africa are sent to Puerto Rico to see how this island has been able to "control population growth." They find a small, privately financed "Family Planning Association" office, and little else. The government provides birth-control information and material only to those seeking it, and when their doctor has no "moral objection" to birth control.

There is a direct relation between the economic and educational level of a population and its birth rate: the higher the level, the less children per family. Therefore, government officials concentrate on stepping up economic development. More tax-exemption is being projected for new industries, and possibly there will be more public borrowing. But it is not clear to anyone here whether economic growth will begin to solve the population boom, or whether the opposite will happen—population will slow down the economy.

The "returning Puerto Rican" is much more than an "island" or a "national" problem. He is a human problem of great poignancy—particularly when he is a second-generation Puerto Rican. The Puerto Rican did not migrate to live permanently in the United States. He came to get a job and better his life; and his goal (whether real or imagined) was always to return to his island. The young Puerto Rican, born or brought up in the United States, is neither a "real" Puerto Rican nor a "real" American. When life gets difficult in New York, when he is out of school and unemployed, his thoughts and emotions lead him to "try" Puerto Rico.

What appears to be taking place, therefore, is a growing movement of young Puerto Ricans back and forth between the island and the United States. They come back looking for a job, but rarely find one. They had been reminded in the United States that they were Puerto Rican, but here they are told that they speak Spanish with an "English accent," that "you are not really one of us." The young Puerto Rican may well ask himself, not only "Where am I going?" but "Who am I?"

Essence and Ethics of

CIVIL DISOBEDIENCE Carl Cohen

Public attention is being forcibly turned to the fascinating and disturbing subject of civil disobedience. From the predictable delay and possible crippling of civil rights legislation in the Senate handling of the present bill, we may expect a new wave of demonstrations and direct action. It is disconcerting, therefore, to realize how little attention has been given to the *theory* of civil disobedience, and how widely it and its users are misunderstood.

I have no brief to file in support of any particular use of civil disobedience as a political instrument. But in an effort to understand that instrument and its use, I plan to

answer the following questions: What is civil disobedience? What important forms does it take? How might it be justified? My answers will be incomplete, and most markedly so with respect to the third question. For that question raises the most profound questions of political philosophy. Once begun, the debate on this subject may well go on for years. It is time to make a start.

Civil disobedience, first of all, is an act that breaks a law. However vigorous or even radical my protest may be, if my act is perfectly legal it is not civil disobedience. When I do break the law, it may be with a positive act (e.g., disturbing the peace with my shouting), or with what is sometimes called in the courts a negative act, as by deliberately failing to register for the draft. But to be a civil disobedient I must

actively do something, or deliberately forbear from doing it, *illegally*.

Further, an act of civil disobedience must be a *public* act. If it is clandestine, we simply will not call it civil disobedience, and for that reason those who engage in such activity often notify the authorities in advance of their planned infraction. For example: "This week-end Bertrand Russell and other demonstrators who accept the tactic of civil disobedience will take part in an unlawful protest against the Polaris missile in particular and nuclear policy in general" (*New Statesman*, February 17, 1961). Civil disobedience is public in another, deeper sense. Professor Hugo Bedau, of Reed College, has put it this way:

. . . the dissenter views what he does as a civic act, an act that prop-

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erly belongs to the public life of the community. . . . His act draws attention to something he thinks the whole community should be brought to consider, since the community has as much interest in the act as he does. (Journal of Philosophy, October 12, 1961.)

Third, an act of civil disobedience must be more than illegal and public; it must be an act of protest. The object of protest may vary; it may be a law, a policy, an individual decision. But the disobedient act must be somehow designed as an attack, direct or indirect, upon that object. Of course the protest may be wise or foolish, and the means employed may be justifiable or not. But the element of protest is essential, and where it is missing the very same crime will not be acknowledged as civil disobedience.

Of these three features I have no doubt. In addition, I believe that an act of civil disobedience must be *nonviolent*, civil in yet another sense. The deliberate injury of persons, damage of property, riot, sabotage — these I would not classify as civil disobedience. Of course a civil protest may be greeted most uncivilly, but so long as the protester does not respond in kind, his conduct may remain civil. This means that he must be prepared to meet violence with nonviolence, and suffer the consequences — which may range from assorted indignities to physical beatings. In some communities the civil disobedient risks being jailed indefinitely on trumped-up charges; he may even risk being shot. It is surely clear that civil disobedience is not child's play. One might argue that if the act of protest is violent, it might still be an act of civil disobedience, although very likely an unjustifiable one. This, I believe, is wrong; a deliberate public riot, with the rioters resisting arrest, I would not think is wisely considered civil disobedience at all. It may be only a matter of words, but I shall speak of civil disobedience as the narrower category, from which deliberate violence is excluded.

My proposed definition then is this: *An act of civil disobedience is an illegal, public protest, nonviolent in character.*

Before going on to the forms it may take, I want to draw an important distinction, often overlooked. There is an enormous difference between civil disobedience

on the one hand, and rebellion on the other. Rebellion seeks the overthrow of constituted authority, or at least repudiates that authority in some sphere; civil disobedience does neither. Of course civil disobedience may lead up to a revolutionary conspiracy (although that is highly unlikely in any healthy democracy), but the civil disobedient, as such, acts *within* the frame of established authority, not outside of it.

Now in certain circumstances even rebellion may be justifiable. We think the American colonists were justified in rebelling; we may think the members of the Movement of the 26th of July justifiably rebelled against the Batista regime in Cuba. But these are not cases of what is normally called (and what I propose to call) civil disobedience. The essential difference lies in this: one does, and the other does not, accept the general legitimacy of the established authorities.

Thoreau's famous essay is entitled "On the Duty of Civil Disobedience." He refused to pay taxes lawfully imposed, and submitted to arrest without resistance — which may seem to be the conduct of a civil disobedient. But his essay makes it clear that he intended a complete repudiation of governmental authority. He wished the government to "treat him as a neighbor," to recognize him as a "higher and independent power." He said (in 1849):

How does it become a man to behave toward this American government today? I answer that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as my government which is the slave's government also. . . . I think that it is not too soon for honest men to rebel and revolutionize.

Thoreau's act may be a noble one, but in placing himself above the law, or outside its jurisdiction, he became a rebel and did not engage in civil disobedience in the strict sense.

Until the kinds of civil disobedience are sorted out, confusion in discussion of this topic is inevitable, and agreement hard to reach. A complete taxonomy is impossible here; but it is worth while distinguishing at least the different lines along which the kinds of civil disobedience may be classified. We may classify according to the *mo-*

tivations that lie behind the act; we may classify according to the *instrument* used; or we may attend chiefly to the *relation between the law broken and the object of protest*. To illustrate: My motive in disobeying a law may be that of promoting a change in that law by calling attention to its injustice; or I may disobey simply on the ground that, however necessary the law may be, I cannot obey it in good conscience. So Emerson, on reading of the Fugitive Slave Law of 1850, is reported to have said: "By God, I will not obey it." This distinction is often hard to draw in practice, and is of interest chiefly to one judging the moral character or worth of the actor. Again, in disobeying the law one's instrument may or may not be his own body used directly. The former is called, these days, direct action—placing one's body across railroad tracks to stop the trains, or lining up shoulder to shoulder to interfere with a legal entry. Direct action, in turn, may take the form of obstruction, as in the examples mentioned, or of intervention, as when *The Golden Rule* sailed into the Central Pacific to force the United States Government either to halt nuclear weapons testing there or inflict death by radiation upon some of its citizens. The instrumentation used in the disobedient act may affect the nature and seriousness of the crime committed and the punishment to follow.

More interesting, however, is the classification which is based upon the relation of the law broken to the law or policy protested. Here there are two great spheres; the relation may be direct or indirect. When the disobedience is addressed to the law being protested, we may call it direct resistance—e.g., a Caucasian deliberately sits in the Negro waiting room of a legally segregated bus station in Florida. Direct resistance may or may not take the form of direct action. Indirect resistance, through civil disobedience, is the deliberate infraction of a law other than, and more or less closely related to, the object of protest. How the law broken is related to the object of protest is important in determining the effectiveness of the protest, and in turn, the effectiveness of the protest is important in determining its justifiability. It has frequently been assumed, implicitly or explicitly, that no act of civil disobedience could be justified

if the law broken was not the law protested. So sweeping a claim seems to me false; but it is true that as the law broken is more arbitrarily selected, or less clearly related to the object of protest, the justification of the disobedient act becomes more complex. I shall return to this point in the next section. The following examples give some indication of the range of possibilities within the sphere of indirect resistance:

■A group may break laws regarding the classification of information by illegally publishing secret materials. Such acts of civil disobedience made the headlines in Great Britain not very long ago.

■A group may disobey trespass laws in an effort to protest and interfere with planned governmental action. Such was the recent conduct of large numbers in Britain, active in the Campaign for Nuclear Disarmament. Many sit-in demonstrators in this country have behaved similarly.

■Where the protest is aimed at the *absence* of a law, it being impossible to break the nonexistent law, a group may make public its intention to disobey another law (technically irrelevant to the issue in question) in order to express their deep concern over legislative or administrative failures. A good example is the recent behavior of demonstrators in Ann Arbor, Mich., who "sat in" in the City Council chamber all night, on more than one occasion, to protest the absence of adequate fair-housing legislation. In such cases the connection between the disobedient act and the object of protest is *conventional*: i.e., it is publicly stipulated by the protesting group, and they hope generally understood, that the disobedience is directed at a failure to act, difficult or impossible to protest adequately in other ways. Another example (this one fictional) might be an organized effort to have cars continually driving by the Presidential palace, blowing horns loudly in a zone where horn blowing is prohibited, to protest, say, the administrative refusal to grant amnesty to a political prisoner. Here again the actual illegal act and the substantive issue are only conventionally, but perhaps effectively, connected.

Doubtless there are many variations and refinements of these cases. My object is not to present

anything like an exhaustive analysis, but to show that, in varying circumstances, civil disobedience may take, appropriately, quite different forms.

When we come to the justification of civil disobedience, we enter a very sticky arena. Here we soon touch upon classical, deep and difficult questions concerning the nature and limitations of the obligations owed by the citizen to his community and state. On these large issues I cannot hope to say anything conclusive here, but I shall make a series of observations which are relevant to the justification of contemporary acts of civil disobedience.

In light of what has already been said, one must remember that there is an important difference between justifying an act of civil disobedience, and justifying a rebellion. What may serve to justify rebellion is very likely strong enough to justify unlawful protest also, but the reverse is not true. The civil disobedient does not seek to overthrow the Constitution, or the laws, and we must be careful not to impose upon him the far weightier task of justification we place upon the rebel or traitor.

Another confusion to avoid is that between criteria of recognition and criteria of evaluation. An act may be a paradigm case of civil

disobedience—say, the illegal disclosure of secret information mentioned earlier, or the voyage of *The Golden Rule*—and still be quite wrong and unjustifiable. Other cases of civil disobedience—say, lunch-counter sit-ins—we may find wholly justifiable.

Violators of local and state ordinances in this country have sometimes explained their conduct as follows: The laws violated, they say, were unconstitutional, and were therefore no real laws; hence the act in question broke no law, and was *not* illegal (although it may have appeared to be); and hence the act needs no further justification. In some circumstances this argument turns out to be sound, as in the recent case of those youngsters accused of "inciting an insurrection" and "unlawful assembly," in Americus, Ga. A panel of federal judges subsequently declared those Georgia statutes unconstitutional, and further charges of disorderly conduct invalid. (Four of the youngsters—field workers for the Student Nonviolent Coordinating Committee—have recently been reindicted in Americus for rioting and assault with intent to murder.) Appeal to such an argument, however, cannot justify an act of civil disobedience; its very employment is a denial that there has been any truly unlawful act. Where it succeeds, it shows the act in question



not to have been one of civil disobedience.

Of course it is very important to know what the law is, and therefore important also to clarify the status of certain laws whose constitutionality is dubious. On such grounds one might justify conduct which deliberately and peacefully violates a city ordinance in order to challenge its validity. But again, if one is successful, no act of civil disobedience is involved. The real problem is exposed when all, actor included, agree that the act is a violation of the positive law.

This makes it clear that it is impossible to give a legal justification of civil disobedience. The law cannot justify breaking the law. If, to give a simple example, a policeman directs me to move through a red traffic light, the law obliging me not to move through red lights has been suspended by the action of a higher principle. By so moving I do not break the law at all. Laws may also provide pressure valves, which open lawful avenues for those whose conscience or religion forbids their compliance—as in the case of the provisions made within selective service laws for conscientious objectors to military service. But here again no law is broken if these provisions are used. There is no way for the law to justify the breaking of the law.

It follows that the civil disobedient, if he is to justify his conduct, must give extralegal reasons for breaking the law, and must hold that these reasons override his obligation to obey it. One way in which he may do this is to appeal to a law higher than any positive law, one which, whatever its origin, imposes an obligation so compelling that no positive law can outweigh it. This is a venerable line of argument, which has, at times, served worthy causes. It has its roots deep in the history of Western thought—in Cicero and Aquinas and Hooker and Grotius and Locke, in Jefferson and a host of others who have sought to justify conduct by virtue of its harmony with some antecedently established, superhuman, moral law, usually divine. The history of this tradition need not be reviewed; but I do wish to note the remarks of one contemporary member of this school, in light of his central role in the very recent practice of civil disobedience. Martin

Luther King, Jr., discusses just this point in his *Letter from Birmingham City Jail*. He contends that “one has not only a legal but a moral responsibility to disobey unjust laws.” The difference between just and unjust laws, according to Dr. King, is this:

A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of Saint Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality.

A somewhat milder argument, along similar lines, is presented by some who fear the consequences of widespread resort to the “higher law,” yet seek to justify civil disobedience in light of that higher law. The claim, say they, that conflict between the Law of Nature (or God) and the law of the state must always result in disobedience to the positive law of the state, constitutes, as Emil Brunner puts it, “an intolerable menace to the system of positive law.” He continues (in *Justice and the Social Order*):

No state law can tolerate a competition of this kind presented by a second legal system. The laws of the state actually obtaining must possess a monopoly of binding legal force; the law of nature must claim no binding legal force for itself if the legal security of the state is to remain unshaken.

But, this argument may continue, if we cannot appeal to the higher law as a binding law, we can appeal to it as a criterion. Natural justice being for us a standard of conduct, we may resort to it in support of deliberate resistance to laws we regard as so unjust that we cannot obey them in good conscience. Thus my conscience provides me with a criterion for conduct, but is not itself law, and does not exempt me from the governance of the laws.

There is something appealing about efforts like both of these to escape the agonizing dilemma which the alternatives of obedience and disobedience present. Speaking for myself, however, I cannot find this variety of argument satisfactory. I do not fully understand the claims that are so commonly made about the nature of the “higher

law,” or the “divine code.” I very much fear that these expressions are often shaky props for sound principles which might be entirely defensible on wholly empirical, but less dramatic, grounds. I do not know the content of the divine code, or how to find it out; and as we all realize, one’s claims that he knows such laws, that they do have the overriding force he ascribes to them, and that they govern in the given case, are notoriously difficult to support, and impossible to prove.

Further, I do not see why resorting to the higher law as a standard or criterion of conduct is any easier or more legitimate than resorting to the higher law as a law. Indeed, I do not really understand the difference, nor do I see how the one position escapes any of the political or epistemological difficulties of the other. And neither of these positions can present a satisfying reply to the critic who, believing himself also governed by the divine code, claims a more accurate and different understanding of it. This sort of justification for political conduct, it appears to me, is a sure path to that impasse at which we are finally led to say: “Here ends the argument and begins the fight.”

In some extraordinary circumstances one might seek to justify his violation of the law on the ground that the law broken does not bind him, though it may bind others. If, for example, one held that those laws alone bind me in whose making I had a voice or a right to a voice, and if it can be shown that I was totally excluded from the lawmaking process, then perhaps I can defend my conduct as not subject to the governance of those laws. On this view, rules govern only the community that participates (or may participate) in making them. If I am clearly not a member of a certain community, I am simply not under its rules. This is an interesting theory, and could conceivably be employed by Negroes in Southern counties who have been virtually disenfranchised. I shall not pursue it here, however, partly because its proper statement calls for a much larger theoretical context, and partly because it would be necessary to show, in applying it, that exclusion had been complete — for the franchise is, after all, only one of the ways in which participation is effected.

Mainly I shall not pursue this argument, however, because in practice it is not used. The practitioners of civil disobedience do not claim that they are not members of the community. Quite the reverse; they are adamant in insisting upon their full membership, and act accordingly. They do vote; they do participate actively in public affairs; and they do perceive themselves as acting within a legal and social order of which they are full members.

This awareness of place in the community is tacit recognition, by the civil disobedient, that he is one to whom the positive law does apply. Just because the laws of his community have legal force for him, he must find some extra-legal principle which will counter-veil, which will somehow override them. He sees himself as one rightly subject to the legal system and he acts—even when he breaks the law—within the frame of constitutional authority. With this in mind, we may discard as superficial the criticism often heard of civil disobedients—that they flout the laws. Not so; deliberate disobedience does not necessarily imply contempt. The civil disobedient is not attempting to avoid the laws, or deny the laws or overturn the laws. He knowingly and publicly breaks the law in order to call attention to a wrong he believes infinitely worse than that he commits. To suppose that the disobedient demonstrator makes light of the law is not to understand what he is about. One of the prime objectives of his demonstration is to show, not that the laws are ineffective, but that they can be and are strong and effective.

In order to show this the civil disobedient not only admits that the law he breaks does apply to him, but that in breaking it he is rightly subject to the appropriate legal penalty. Moral considerations may constrain him to disobey, but they do not erase the crime. Indeed, it is just because it is a crime, and known by actor and public alike to be punishable, that the act serves as protest. If the actor claims his moral motivation excuses him from punishment, *he* has not well understood what he is about, and his protest loses much or all of its force.

Is it fair, then, to criticize the civil disobedient as one who “reserves for himself the right to break any law he pleases”? I do not think



so; for that expression seems to imply that he thinks himself free to break laws without punishment. In fact, he accepts punishment for his illegal act as part of his public protest. His being willing to suffer this punishment is the public proof of his deep concern over the issue, and is part of the point of his acting illegally. Undergoing punishment, then, helps establish the seriousness of the demonstrator, increases the publicity of his demonstration, and displays the effectiveness of the legal system he hopes to improve.

But what of those demonstrators who select, arbitrarily, the law they will break in order to make their protest? Don't *they* seem to be reserving the right to break any law they please? I think not. In the first place, we must not forget that they break the law *and are punished*. In the second place, the fact that the relation between the law broken and the object of protest is a conventional one does not mean that the disobedient act was selected by whim. Such acts are normally chosen with great care so as to be minimally harmful to the community, maximally public, and perhaps indirectly related to the object of protest (as for example by location—in the City Council chamber, or in front of the Presidential palace). To say that the illegal acts are chosen carefully and cleverly does not automatically justify them, but it does acquit the actor of behaving arbitrarily or capriciously. If such care is not taken in planning the demonstration, it is indeed likely to prove hard to justify.

As a general rule, I think we may say that whenever the resistance is indirect, its justification, where possible at all, will be more difficult

than similar but direct resistance. When the law I propose to disobey is not the object of my protest, I am likely to be somewhat uncertain that the real nature of my protest is widely understood. It may be that public reaction to my demonstration will be the very reverse of what I had hoped and anticipated. (I may, however, believe the act justified, even where this is the result; if I succeed in forcing the issue before the public eye.) Moreover, since the law I break is presumably a law (like that of trespass) which I find otherwise quite desirable, I must recognize that breaking it, even in protest, must bring, in addition to my punishment, some degree of expense or inconvenience to the community. The effectiveness of indirect resistance will always be very difficult to determine, as will be also the evils which flow from it. Other things being roughly equal, the fact that the protest is indirect markedly complicates its justification.

That any act of deliberate disobedience can, in the last analysis, actually be justified depends upon the moral values and principles one adopts; and at this point I know of no way to pass judgments that all will accept. On the one hand are the objectives of integrated housing and schooling, fair-employment practices and the like; on the other, such goals as the preservation of order, and the development of a system in which the laws are universally obeyed, and in which bad laws are changed in lawful ways. These ends need not conflict, but they may do so. If they do, because the lawful process of change has proved ineffective or entirely too slow, one's moral predicament may be excruciating. The task of balancing worthy but conflicting objectives is the central task of the moral life.

Note, however, that the justification of civil disobedience, indirect or direct, does not depend upon moral valuations and principles alone. There are also a cluster of factual questions the answers to which will vitally affect our judgment on any particular case of disobedience. On the positive side we want to know how effective such protest is likely to be in bringing about the desired change. Is it apt to promote action by the law- or policy-making authorities? How in-

tensely will it focus public attention upon a community injustice long in need of remedy? If public attention is so directed, is that likely to increase the pressure upon the lawmakers? Or might misunderstanding of the demonstrators and resentment of them do their cause more harm than good? And we want to know how fully and how carefully other means of effecting change have been attempted, and with what results. On the negative side of the question, we want to know how seriously, if at all, the disobedient act affects the legal order. Is the protest likely to result in riot or chaos? Does the demonstration really deteriorate the legal system, or the respect for law? Or may it perhaps improve that system

and increase the general respect for it? How serious a blow to that legal order is the public infraction of it, and the public acceptance of penalty? All of these questions, and others like them, are relevant in deciding whether one is justified in protesting through deliberate disobedience of the law.

With these empirical considerations clearly in mind, and some reasonable set of moral evaluations at hand, one pattern of justification which may then be attempted is essentially utilitarian. Will deliberate disobedience, and its punishment under these circumstances, lead in the long run to a better or a juster society than would compliance with the ordinance in question? Some balancing process of this kind, more

or less refined, is, I think, consciously or unconsciously employed by most of those who make a deliberate decision on whether or not to participate in protests of this nature. No man can know that his decision on such matters is infallible, but I do not know what more can be asked of him than that he make it as wisely as he can, after weighing as intelligently as he can all relevant considerations.



Methodists: Crisis of Conscience . . Ralph Lord Roy

America's 10 million Methodists are approaching a racial crisis. On April 26, delegates who gather in Pittsburgh to attend the denomination's quadrennial General Conference must face the fact that their church continues to be segregated. No doubt, every effort will be made to reach a compromise solution, one that gratifies few but preserves unity. Something of the sort was achieved at the last General Conference in 1960, but the revolution in race relations since then has had an enormous impact upon Methodists, as upon the whole nation.

The Methodist Church occupies a position in our country's religious life so indistinct as almost to defy generalization. It demands little or no theological conformity, and in its midst are fundamentalists, conservatives, neo-orthodox, existentialists, liberals, personalists, naturalists and a probable majority that is unconcerned with the finer points of faith. Its churches adopt forms that range from enthusiastic old-time "love feasts," identified with the frontier camp meeting, to a liturgy patterned after the Episcopal Book of Common Prayer.

Ralph Lord Roy, a Methodist minister, is the author of Apostles of Discord (Beacon Press) and Communism and the Churches (Harcourt, Brace). On two occasions, Dr. Lord has been jailed for taking part in civil rights demonstrations in the South.

The most widely recognized and oft-derided characteristic of Methodism over the years has been its encouragement of personal piety. The General Rules of the denomination contain a host of quaint provisions that forbid "the putting on of gold and costly apparel," "the using of many words in buying or selling" and "singing those songs or reading those books which do not tend to the knowledge and love of God." But many Methodists have abandoned the asceticism of their forefathers, and a survey in 1955 disclosed that only 15 per cent objected to dancing, 30 per cent to smoking, 33 per cent to Sunday golf and 40 per cent to bingo (as a means of raising church funds). Predictably, the older a Methodist is, the more traditional his views are likely to be. There is still strong sentiment against alcohol, a perennial target of Methodist ministers, but even here 40 per cent of those under forty-four could find nothing wrong with drinking.

Some see in this growing Methodist latitude ominous signs of spiraling profligacy; others consider it one of the factors that have spared the denomination all major schisms since 1844. The issue at that time was not far removed from the segregation issue of today. Methodism's founder, the Englishman John Wesley, described slavery as "the sum of all villainies," and

the first General Conference in America in 1784 pledged itself to "extirpate this abomination from among us." With the invention of the cotton gin, however, slavery regained importance in the economy of the South and Methodist indignation cooled little by little until, by 1840, members of the church exhibited more animosity toward abolitionists than toward slaveholders. Then, with baffling speed, abolitionist fervor swept through Methodism in the North. Four years later, in 1844, a majority of the delegates to General Conference insisted upon a resolution deposing a Georgia bishop who had become an owner of slaves through marriage to his second wife, and who had not emancipated them. The denomination suddenly found itself sundered into Northern and Southern bodies, and the separation persisted for nearly a century.

The rupture was finally healed in 1939, but before that could occur an urgent question had to be answered. What was to be done with Negro Methodists who had affiliated with the Northern faction following the Civil War, but who were largely concentrated in the South? The overwhelming majority of American Negroes have ties with all-Negro denominations, but about 400,000 are members of The Methodist Church, and that is as many as belong to all other multiracial

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Protestant bodies combined. The compromise devised at the time of reunion twenty-five years ago was to establish the so-called Central Jurisdiction, a euphemism more honestly translated as the Negro Jurisdiction. The result is that nearly all of the 2,800 Negro congregations (there are a few exceptions, mainly in metropolitan areas outside the South) are grouped into segregated annual conferences under Negro bishops and Negro district superintendents.

This shocking situation humiliates many Methodists, and the Central Jurisdiction has been protested by most Negroes and by innumerable whites from the day it was first proposed. Yet, as in most such matters, it is easier to recognize the problem than to prescribe an altogether satisfactory solution. The principal apologists for the Central Jurisdiction emphasize that it has provided Negroes with broad opportunities for leadership. Perhaps this argument can best be illustrated by contrasting the approximate statistics of The Methodist Church with those of the Roman Catholic Church, the one multiracial religious body in the United States with more Negro members (see table below). The majority of Negro Roman Catholics, like Negro Methodists, still worship in all-Negro parishes, but the church has no separate ecclesiastical apparatus comparable to the Central Jurisdiction.

While Negroes comprise less than 4 per cent of the laity of The Methodist Church, the percentage of Negroes among the active bishops serving in the United States is more than 11.3 per cent. This kind of leadership bonus, which is also found to a somewhat lesser degree on many of the denomination's boards and agencies, has appealed to some Negroes and has helped both white and Negro Methodists

to rationalize an essentially pernicious system. There are Negro pastors in Georgia, Alabama and elsewhere in the South who have little reason to expect equal opportunity or other fair treatment if submerged into predominantly white conferences. The choice some see is between a segregated structure in which the Negro dominates his own section, and an integrated structure in which their fate would be determined largely by Southern white leadership. Much as they dislike the present situation, they have had enough experience with the white man to be wary of the alternative.

Yet despite such anxiety, most Negroes, most Northern whites, and a number of Southern whites will arrive at General Conference committed to the abolition of the Central Jurisdiction. (Unlike the annual regional conferences, which are segregated, General Conference represents all segments of The Methodist Church throughout the nation.) How should abolition be achieved? There are surprisingly few blueprints for accomplishing this delicate task, and each assumes some degree of gradualism. Two plans are attracting the greatest attention.

The first is proposed by an official commission of the denomination, known as the Committee of Thirty-Six, which includes ministers and laymen of both races, all regions and many different viewpoints. When its "Plan of Action" is boiled down, the committee seems to be saying little more than that the Central Jurisdiction churches should be absorbed more rapidly into the predominately white conferences in which they are geographically located — a process which has been slowly under way since 1956. This report is under attack as being too sluggish, as placing too much emphasis on volun-

tarism, and as not differing substantially from steps taken at the last two General Conferences. The Southern white members of the committee give unanimous endorsement to the "Plan of Action," and for many that is proof of its timidity. However, it also has the support of all Negro committee members, although some signed with great reluctance. One of its several selling points for liberals is a provision calling for the assignment of Negro bishops to overwhelmingly white areas. This should not be a remarkable innovation, but such a situation has not existed within any American religious body in this century, with the qualified exception of John M. Burgess, who now serves as Suffragan ("assistant") Bishop in the Protestant Episcopal Diocese of Massachusetts.

A bolder proposal has been constructed mainly by Professor Philip Wogaman of the University of the Pacific, and it will come to Pittsburgh with the endorsement of the influential California-Nevada Conference. This plan would abolish the Central Jurisdiction forthwith and set in motion a procedure for rapid incorporation of Negro churches into white conferences. Special consideration would be given to safeguarding Negro positions of leadership. Professor Wogaman sets 1972 as the deadline for completing assimilation.

In 1960, the Central Jurisdiction established its own study group, known as the Committee of Five. Last month, it recommended some comprehensive proposals aimed at removing many vestiges of discrimination within the church. Its position on the Central Jurisdiction, however, has been less forceful. It does not take fundamental issue with the slow-paced procedure now in effect nor insist upon any deadline for action. This has disappointed many liberals within the denomination who had hoped that Central Jurisdiction delegates at General Conference would take a vigorous stand against voluntarism and excessive gradualism. The fact is that there is almost as much disagreement over methods of achieving structural desegregation among leaders of the Central Jurisdiction as within the church at large.

The principal stumbling block to all the plans, of course, is not the Negro Methodist, despite his mis-

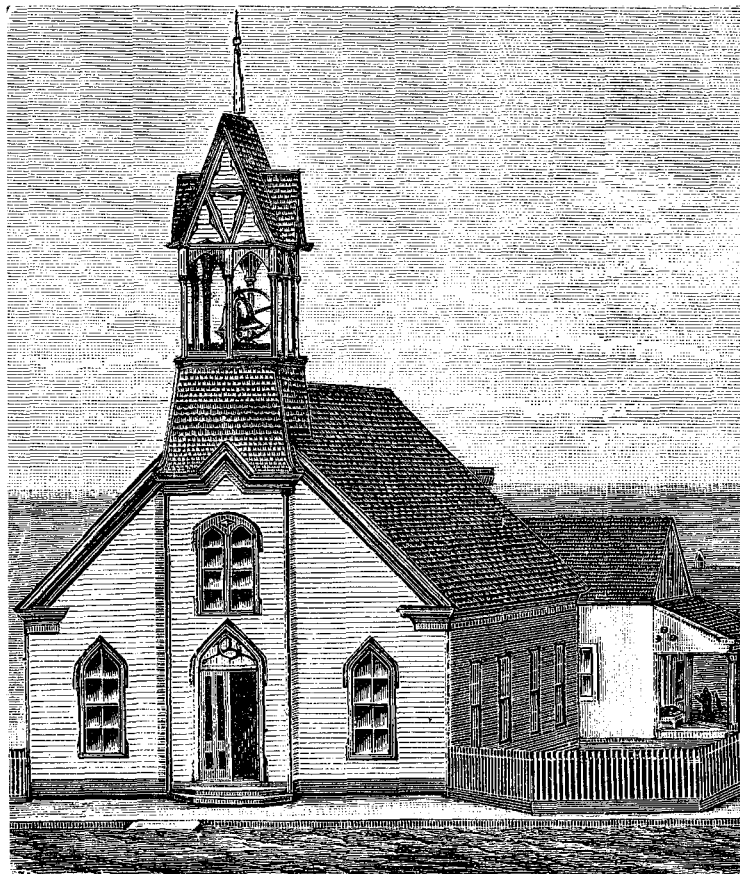
	Catholic Church	Methodist Church
Total membership	43,850,000	10,150,000*
Negro membership	700,000	400,000
Total clergy	56,800	28,600
Negro clergy	126	1,600
Total bishops	237	44
Negro bishops	0	5

*Most Protestant denominations minister to about twice the number of their actual members. A national sample survey made by the Bureau of the Census in 1957 found that 14 per cent of the population identified itself as Methodist. Probably 20 million Americans, including children, are constituents of the Methodist Church. Another 5 million have ties with separate all-Negro Methodist denominations.

givings and uncertainties. It is the white Methodist in the Deep South, where nearly a third of all Methodists live, where defensiveness has been increasing, and where inflammatory agitation is steadily rising against "radicals" in high Methodist circles. The possibility of a schism exists, and if the Methodist Church is sufficiently forthright on the matter of discrimination, there is certain to be a concerted effort in some Southern conferences to force secession from the denomination. The dilemma for Methodism is to move ahead briskly on the issue of race and still keep the denomination from splintering.

Abolition of the Central Jurisdiction is not the only important aspect of the race question that disturbs The Methodist Church today, and it may not be the most poignant issue at General Conference. Even if, by some magic formula, the Central Jurisdiction could be dissolved this spring, the problem of integration would still exist in the local parishes. Ministers and laymen of both races would sit together in the same annual conferences, and this would be an incentive to further interracial contact. But their congregations would remain about as segregated as before. Integration on the parish level is progressing well in some places, but in this area Methodism and all other religious groups in America still face a formidable challenge. What will the 1964 Conference say and do about churches that not only systematically exclude Negroes from membership but have them arrested when they arrive for a service of worship?

Such an incident occurred on October 6, 1963, when three girls, students at Tougaloo Southern Christian College, were charged with trespassing and disturbing divine worship when they attempted to attend the regular Sunday services at Capitol Street Methodist Church in Jackson, Miss. They were tried, found guilty, sentenced to a year in jail, and fined \$1,000 each. Opponents of segregation within the church were scandalized, though they found some comfort in the fact that appeal bond was posted by the denomination's national Board of Christian Social Concerns and by its Woman's Division of Christian Service. Not unexpectedly, this gesture of support produced some loud cries of anguish, and the ladies of



Methodist Church; Corpus Christi, Tex.

several Southern parishes informed Woman's Division headquarters in New York that they had voted to cut off their financial support of the national body.

Two of the convicted girls were from the Chicago area, and publicity in the Chicago press aroused Methodists there. Ministers and laymen from that city and then from Detroit, New York and elsewhere began to travel to Jackson for Sunday service. Many of them have ended up in prison and none has been able to worship in a desegregated manner. These costly weekend treks still continue and the legal battle goes on in the courts.

As news of the arrests reached more and more ministers and laymen, the feeling grew that some coordinated effort should be made to force the church to face up to this perversity in its ranks. On November 13, when the Council of Bishops was meeting in Detroit, pastors and seminarians from different areas arrived in that city with the intention of confronting the church fathers. They listened with mounting indignation as the Rev. E. Edwin King, white Methodist chaplain at Tougaloo and 1963 write-in candidate for Lieutenant Governor of

Mississippi, reported on the influence of the White Citizens Councils upon Methodism in that state and told of the scores of clergymen of several denominations who were leaving the area rather than live in an atmosphere of intolerance and intimidation.

The assembled pastors then decided to congregate in the Statler-Hilton Hotel just outside the Michigan Room where the Council of Bishops was in session. It is not customary for parish ministers to pressure their superiors in such an unabashed manner, and many bishops betrayed their irritation. Some of the ministers knew well enough that their action could jeopardize their future in the church, since Methodist bishops hold enormous power over the clergy.

After a two-hour wait, a statement came from the Michigan Room. Progressives in the Methodist Church complain that the bishops have offered scant leadership on social issues since the late Bishop G. Bromley Oxnam retired in 1960. Therefore, the resoluteness of the episcopal pronouncement of November 13 caught many by surprise. The ministers listened intently as Bishop Paul V. Galloway of

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Texas read it to them, and they then broke into spontaneous, and sustained applause. The bishops condemned "the denial to any person of the right to worship in any Methodist Church," adding that "to move to arrest any persons attempting to worship is to us an outrage." They condemned all forms of segregation without qualification and defended "the legality and right of those minorities who are oppressed anywhere in the world" to protest, citing "the recent march in Washington" as a "spectacular and well-directed move of this kind."

After the initial enthusiasm, however, some ministers who took a closer look at the episcopal document concluded that it was not only too general but had carefully side-stepped several key issues. They sent a message to the council that expressed support of the statement, but went on to accuse the bishops of permitting "a leadership vacuum in The Methodist Church" which "has helped to produce the present crisis in which we find the precepts of Jesus flouted, the Church silent on crucial issues, and a situation in which we have expressed more concern for unity as an institution than for unity in Christ."

The ministers listed their demands: the bishops were to ask Jackson churches to "immediately open their doors to all who come,"

give full backing to all those who have sought without success to worship in Jackson, support the abolition of the Central Jurisdiction, and present to General Conference a many-sided program in support of human rights. This program should include the assignment of staff and funds to aid in voter registration, to support civil rights legal cases, and to assist "in direct action."

Before the ministers dispersed, they organized the Methodists for Church Renewal, which is now rallying support among ministers, laymen and students across the nation. Its objectives go well beyond the race issue, but for the moment this is where it is concentrating. The nucleus of the group has been drawn largely from the younger clergy. The Rev. James H. Laird, pastor of Central Methodist Church in the heart of Detroit, serves as chairman, and national headquarters is at his church. MCR will try to brief a number of General Conference delegates who otherwise would arrive in Pittsburgh without full knowledge of the issues. It also seeks to generate a flood of petitions to General Conference (known among Methodists as "memorials") demanding changes in the denomination's Discipline—roughly speaking, its canon law—that would help blot out segregation and discrimi-

nation within the church. One of the proposed memorials, for example, would specifically forbid any form of discrimination in any of the several hundred colleges, hospitals and other institutions affiliated with The Methodist Church. In instances where such a regulation was ignored, punitive action would be taken.

The most dramatic project planned by Methodists for Church Renewal is a "Pilgrimage to Pittsburgh." In concert with others, especially student groups, MCR plans to bring its insistence upon integration and racial justice directly to General Conference. Methodists from different parts of the nation, including busloads from such Southern battlefields as Jackson, Birmingham and Atlanta, will converge upon Pittsburgh Friday evening, May 1, to serve as a "living memorial." An all-night church gathering will move from a freedom rally into a prayer service and close Saturday morning with a solemn ritual of communion. This will be combined with a silent demonstration each day in front of the auditorium where delegates will be meeting. Methodists for Church Renewal, together with other churchmen, have resolved that the conscience of Methodism must be aroused, at the risk of discord and even of secession.

South West Africa

TIMETABLE FOR FREEDOM . . . Patrick Duncan

London

More and more, the tension between the rich, pale peoples of the North and the poor, dark Southerners dominates international politics. In South Africa, land of unashamed white supremacy, lies the principal irritant and focus of this tension. But in South Africa, white supremacy is being increasingly challenged, and an open clash, which could become the greatest issue of the sixties, approaches.

The prelude to the clash will probably be played in the dry, 318,-

Patrick Duncan is the former editor of Contact (a liberal South African fortnightly), a member of the Pan-African Congress of South Africa and author of Sotho Laws and Customs.

000-square-mile mandated territory of South West Africa. And for this prelude there already exists an approximate timetable, allowing us the rare privilege of a reasonably accurate historical long-range forecast.

The timetable of the South West Africa crisis is the timetable of the International Court of Justice at The Hague. For Ethiopia and Liberia have taken the question of South West Africa there. On November 4, 1960, at the second conference of independent African states, the two African nations asked the Court to declare that the introduction of the apartheid policy into South West Africa was inconsistent with the terms of the mandate.

After all but intolerable delays, the Court gave the South African Government a four-month extension to enable it to file a tremendous counter-memorial of perhaps 2,000 pages, which was duly presented in January of this year. Ethiopia and Liberia now have an opportunity to reply in turn. This may take still another two or three months. Then South Africa will issue a reply, which if the Court understands the increasing urgency of the problem, may be limited to two or three months.

This brings us to mid-1964, when the matter should come to a hearing. If the hearing is expedited and judgment given promptly, a decision should be handed down by the

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end of 1964 or, at the latest, early 1965. If, as is generally expected, the judgment is unfavorable to South Africa, the matter will be taken promptly to the Security Council. So by mid-1965 it is probable that the United Nations will have voted for the revocation of the mandate and for the enforcement of such a vote if necessary.

Such a vote cannot fail to provoke an immense crisis in world politics. It is likely also to introduce the final struggle over apartheid. How did the matter come to litigation? And what is the likely outcome of the affair? To answer these questions properly one must look back forty-four years.

In 1919, South West Africa was removed from control of the defeated Germans and given, as a "C" class mandate, to the South African Government. The South Africans could administer the territory "as an integral portion of the Union of South Africa," but were enjoined in the mandate "to promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory." Such was the condition on which South West Africa was handed over to the Union.

Between the two World Wars, the territory was the scene of the ruthless suppression of the Kwanyama and Bondelswarts peoples and the virtual isolation of the Ovambo people, who number fully 50 per cent of the total population of the mandate. Held apart in this way, the

Ovambo have made virtually no social progress, and today, in comparison with the other non-white peoples of South Africa, remain notably backward.

To add to inherited backwardness, the African people of South West Africa have recently been placed under the direct control of the BAD Department (Bantu Administration and Development) of South Africa and are thus under the hostile laws passed by the South African Parliament to hold down the Africans in South Africa. And at no time have these people been given any political power. On the contrary, they have been ruled and exploited as an occupied, servile nation.

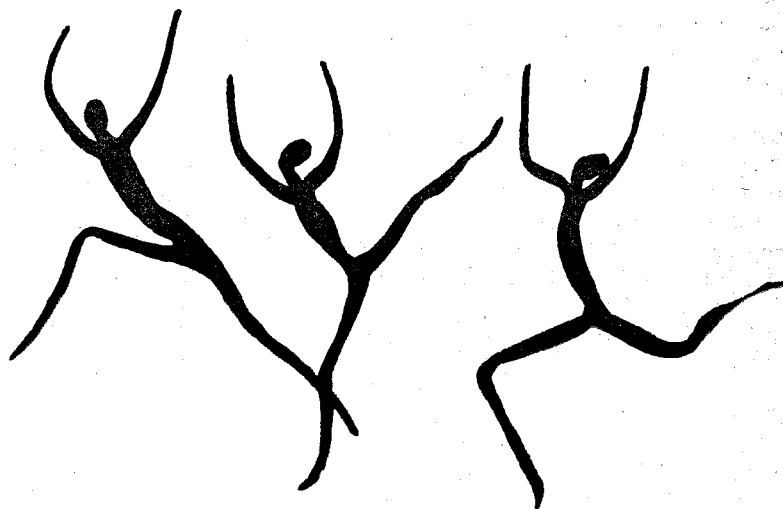
As Africa has freed herself from colonial domination, South West Africa's servitude has given ever-increasing offense. Ever since 1948, the issue has been active at the United Nations. In that year the South African delegate explained to the UN why, of all the mandates created under the League of Nations, only South West Africa had not been placed under the UN as a Trusteeship Territory. In the following year, 1949, Michael Scott, tireless champion of the true South West Africa, first addressed the UN Trusteeship Council. The matter has been raised every year since. But nothing done at the UN has caused the South African Government to bend one degree from its refusal to place South West Africa under the Trusteeship Council or to soften the iron impact of apartheid on the voteless inhabitants.

It was the powerlessness of the UN to act in the matter that led free Africa to seek another venue for the campaign to liberate South West Africa. As we have seen, Ethiopia and Liberia took the question to the World Court in 1960.

The applicants reasoned that since world politics had been unable to come to any conclusion, they should try to get a decision in a venue where political considerations were absent, or attenuated—in court. Thereafter, strengthened by the desired declaration, they thought it might be easier to get action in the world's parliament.

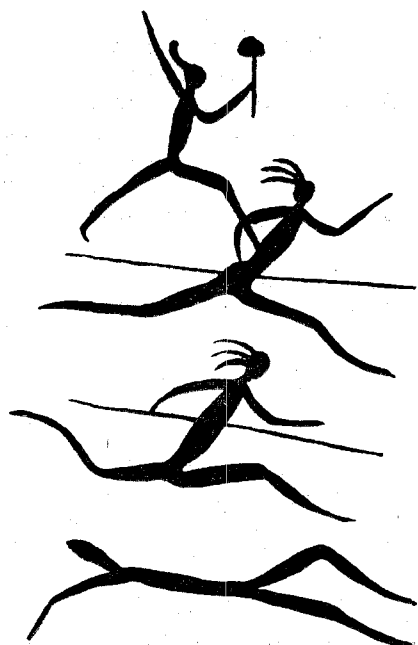
Is the argument good? I think so. For a judgment favorable to the applicants would make it virtually impossible for a nation to veto action to enforce that judgment in the Security Council; such a veto would be a damaging blow against the UN and world law. But more immediately telling, if one of the powers in the Security Council were to veto (and a veto is imaginable only by a Western power), the way would be open for the Soviet Union to take the matter to the General Assembly, and there to put itself at the head of a coalition of perhaps a hundred member states and lead an action to revoke the mandate and cut the link between South Africa and South West Africa.

Soviet power and influence would cascade into the most powerful African area — Southern Africa — with the legal authority of a judgment from The Hague, a resolution of the General Assembly, unlimited



Natural History

South African Rock Drawings



neutral manpower and Soviet ships, planes and money.

Lest this vision be thought fanciful, it should be remembered that American influence in the Congo was created this way when the Soviet Union tried to boycott the UN and set up the Stanleyville regime in opposition to, and in secession from, the central Leopoldville Government. The difference is that South Africa, with a GNP of \$7 billion and an annual gold income of \$1 billion, is many times as important, economically speaking, as the Congo. It also holds a strategic position unrivaled by any other African country south of Egypt.

For the above reason any United States administration (except perhaps an ultra-conservative one) would be most unwilling to veto a resolution to revoke the mandate, if necessary by force. And the other Western powers would, almost certainly, go along on this issue.

It is believed that an urgent warning that the United States will act to revoke the mandate has already been privately given to C. Naudé, the South African Ambassador in Washington. And at the end of October, 1963, Sidney Yates, U.S. Representative on the Trusteeship Council of the General Assembly, called on the South African Government to grant self-determination to the people of South West Africa as promptly "as it may be freely and responsibly exercised." South Africa thus faces the likelihood that by mid-1965 irresistible force will have been brought to bear to cut the mandate free.

But mid-1965 is the very moment when, according to a unanimously accepted report on the constitution of Basutoland, the country is scheduled to obtain its full independence within the Commonwealth and a seat in the United Nations. Thus, at the same time, two frontiers will

bring African freedom into contact with South Africa. Also, at about the same time, hundreds of South African recruits, members of the freedom movements, will be returning with military training, ready to go into action. And, behind them and strengthening them, will lie the Organization of African Unity, set up after the Addis Ababa conference last May 25.

The collision between the forces of African freedom and those of apartheid is likely to move the world deeply, as deeply as did the Spanish Civil War of the 1930s. For in the eyes of perhaps two-thirds of the human race, the anti-apartheid struggle is their own struggle. Therefore, unless intervention in South Africa takes place under the control of the United Nations, it is likely to be uncontrolled and extremely dangerous, as again was the case in the Spanish Civil War.

Broadway on Ice

THE OBSOLETE INDUSTRY Robert Hector

The Broadway theatre has been charged with behaving like big business. In the spirit of General Electric, Allis-Chalmers, Westinghouse, etc., whose officers were once convicted of having conspired to rig prices, the theatre has pursued its own methods of price manipulation. In his investigation of business practices in the theatre, New York State Attorney General Louis J. Lefkowitz has discovered kickbacks and "ice," which he estimates reach \$10 million yearly.

The evils uncovered by the Attorney General are symptoms of deep-rooted disease which has existed in the theatre for a long time. Broadway, being not quite a business, not quite a cultural institution, has neither the efficiency of the former nor the purity of the latter. It is disorganized and backward; not only has it ignored modern methods of organization; it has ignored the industrial revolution.

As the surge of automation poses

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the question of what people will do with their leisure time, as the machine and computer further depersonalize life, good theatre, offering a personal, direct contact between artist and audience that films and TV cannot give, becomes increasingly important. In many parts of the country, Minneapolis, Dallas, San Francisco and elsewhere, the need is recognized and new theatre groups have been formed. Therefore, the present low state of the Broadway theatre, which has always been the focal point of American theatrical activity, is a matter of deep concern.

The investigation of sharp practices by the Attorney General's office began when some backers of Broadway shows complained that they were being bilked. As the investigation proceeded, it kept running into "ice"—the enforced "gratuity" that the ticket broker pays to the theatre owner for an allotment of seats. The theatre owner, not the producer, controls the sale of tickets.

When a hit musical or comedy

arrives in town, the best seats are allotted to the brokers, who are legally entitled to a service charge of \$1.50 for an orchestra seat. Let us assume that an advertising agency needs four excellent seats for a client. The agency is ready to pay any price for the tickets; it will, in fact, brag of the high cost. The scalper may add \$10 to each ticket and pay perhaps half of the illicit gain to the theatre. The theatre owner probably gives a share of this "ice" to the box office man for handling the transaction, and may share with the producer or manager of the play.

Naturally, the extra charge varies; payments to the theatres have ranged from 50c to \$7 over the listed price of the ticket. Many brokers operate legitimately, but even they have frequently had to give a small gratuity to the theatres for their allotments. At times, theatre managements have dealt directly with certain brokers, bypassing their own box offices. The relationship between theatre owner and producer has also varied; certain producers have refused to ac-

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cept "ice," others have battled for it.

Under the municipal ticket code, only the brokers appear to be guilty of violating the law. Box office men and theatre owners have merely accepted gratuities, a practice common in business. They retain excellent legal advice—and it may be surmised that the gratuities were declared on their tax returns. While their ethics may be questioned, they seem to have been within the law.

The theatre owners have their excuses. Gratuities are common. Big business isn't above tampering with prices to circumvent regulations, or even hiring call girls for sales conventions. Selling tickets at higher prices to businessmen who pay for a priority over their fellows then seems a mere peccadillo. And since there would probably be scalping in any case, they might as well share in the profits.

The League of New York Theatres, the industry's official body, declared in the course of the investigation that it would establish an industry code to prevent "ice" in the future. It also seems likely that a state law, supplementing the municipal code, will be enacted to make it illegal for the box office man or the theatre owner to take "ice," or in any way to sell tickets for more than the legitimate price.

In retrospect what seems strange is that although the New York City License Commissioner has investigated complaints of overcharges on tickets on many occasions, his department has never done anything effective about the illegal sale of tickets, although the state investigation finds that thousands of seats have been sold in this manner weekly over a period of years.

The Attorney General's office also heard testimony of shady financial practices by a few producers. They pocketed rebates on advertising and showed the full payments on statements sent to their investors. They accepted kickbacks, sometimes amounting to several thousand dollars, from builders of scenery and makers of costumes. While a League spokesman pointed out that the percentage of producers so charged represented only a small fraction of the producing body, honest producers now fear being tarred by the same accusations. As for the culprits, they are quick to equate their actions with what they consider the morality of business in an

affluent society. There are a few poor souls, however, who would simply contend that they need kickbacks to pay office overhead or take an option on a new play.

Since, by means legal or illegal, choice orchestra and mezzanine seats are allotted to the brokers, the effect is to make more tickets available to the expense-account world, and less available to that large audience of middle-class and professional people who buy directly from the box office or write in for tickets. The kind of audience that the theatre has thus developed now determines the kind of play that can succeed. It is a good audience for *Barefoot in the Park*, *Any Wednesday*, *Never Too Late* and for musicals; it is not so good for serious works.

"Ice" and kickbacks are part of the theatre's modern predicament, which stems from rising production costs, inefficiency and shortsighted commercial values, all leading to the higher price of tickets. The result is a theatre with a severe hit-complex. The current audience wants to be associated with nothing but spectacular success, and the theatre is completely geared to hits. A very few plays make a great deal of money, a few plays break even, and the majority of plays fail. There is today no healthy middle ground where a large number of plays can make a modest profit.

Springing from the high cost of production is the high price of tickets. To attract a larger audience of more diverse tastes, prices would have to be lowered—and substantially lowered. A pair of orchestra seats to a straight play now costs \$13.80 weekday evenings, \$15 weekends. Musicals are higher. No wonder that many persons looking for stimulating entertainment turn to foreign films. They would still like to see actors on a stage, but high prices thwart the impulse.

Consider the probable cycle in the theatre if prices came down. The theatre draws a larger audience. More plays are needed for this new audience; more plays are written. If production costs were cut—and this would be essential in a less expensive theatre—adventurous productions could become profitable, even with shorter runs. With lower costs and a sounder financial structure, producers could also turn more frequently to the classical reper-

tory. Shaw and Chekhov would no longer be confined to off-Broadway; Shakespeare would not have to wait for a popular star. We might even see Strindberg and Molière.

Some producers argue that there are not enough good new plays even for the current seasons, but a contrary view holds that the more plays produced, the better the chances that more good plays will be written. A former fiction editor of *The New Yorker* has pointed out that when magazines used a great many short stories, a large proportion of good stories turned up; when the magazines used fewer stories, there were fewer good stories around.

But what can be done to lower costs and prices in the theatre? It will be necessary for a central body to plan and reorganize the entire industry. Theatres will have to be modernized to save production and operating costs. The industry itself will have to operate many services, trucking, storage, and so forth, so that these can be supplied at minimum cost. It will have to eliminate union abuses, and like any well-run industry it would seek out some government paternalism: subsidies, grants, tax relief. The oil industry gets a depletion allowance; farmers get subsidies; defense industries get government contracts, frequently allotted on the basis of need. Why not some government aid for cultural institutions? There is nothing un-American about it.

Today practically no commercial theatre is equipped with its own stage lighting, sound systems or with motor-driven equipment. As they did at the turn of the century, two men still tug at ropes to raise and lower the curtain. Year in, year out, producers rent and re-rent the same lighting and sound equipment, which has to be brought into the theatre for every new production. Such equipment could be standardized, bought and amortized by the theatres in a few years, and ultimately the savings could be passed on to the public.

Much of the blame for the lack of modern facilities in theatres falls on the late Shubert Brothers, who controlled most of the nation's playhouses for decades. They did little to bring their theatres up to date, and they fostered the ticket practices that are being investigated today.

Theatres, in current practice, are

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rented on unusual terms. The theatre is, in a sense, a partner of the producer of the play, taking 30 per cent of the gross and sharing in many of the costs. If the show is a hit, the theatre makes a lot of money; if not, very little. As a system, it has some logic. The problem lies in the fact that as there are few hits and many flops, most theatres cannot be kept rented throughout the year. If theatres could be kept in continuous use, the savings could be applied to cheaper tickets. One suggestion for keeping the theatres productive during the summer, when business is at its worst, is to have every craft and every union set lower seasonal wage scales and easier working rules to make operation feasible.

High taxes on real estate also make it difficult for the theatres. When theatres were built before World War II, the zoning code forbade the erection of office buildings over theatres. Taxes are computed in part on the basis of land occupied, and theatres are thus at a disadvantage in comparison with other city enterprises. The federal amusement tax (10 per cent after the first dollar), which the theatre has been trying to get removed for years, still stands although Senator Javits and Representative Lindsay have introduced bills to remove it. This tax puts the theatre in the same class as night clubs, prize fights and roller-skating derbies.

Still other factors contribute to the high cost of tickets:

(1) The stagehands, the worst offenders, are guilty of heavy featherbedding. This is an unenlightened union. Their favorite war cry when opposed has been, "We'll pull the lights!" An idle member of the carpentry department cannot touch a stage property, such as a chair or lamp; an idle property man cannot move scenery or plug in a lamp; the curtain man cannot touch anything except his rope. If there is a rehearsal after a matinee, from 4.30 to 5:30, the stagehands get paid for two hours. If publicity pictures are taken in the theatre, the stagehands get paid. The rules of the stagehands are myriad, all designed to extract as much money as possible. The stagehands must be made to change their rules either through reason (which is unlikely) or through confrontation.

The chief reason why the union

is so rigid is that it has always been closed to young blood, although a very recent labor ruling changes that. Ideally, the stagehands should include a large number of young people trained in the colleges, who may ultimately go on to design, direct and produce.

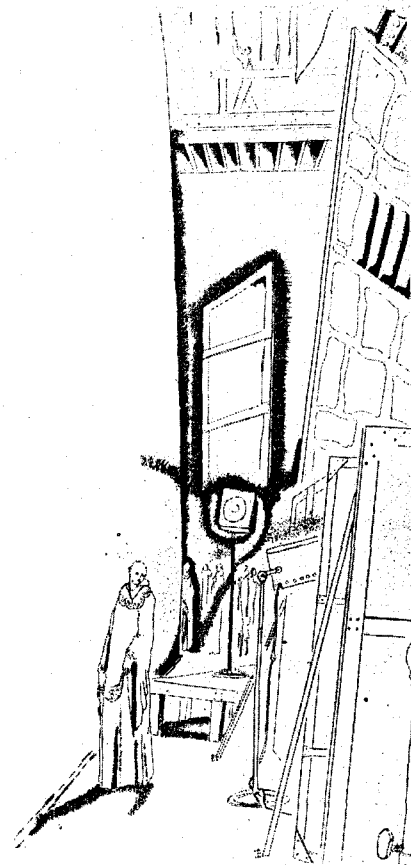
(2) The transfer men deliver scenery from the studio to the theatre. The business is the virtual monopoly of a few truckers, and the rates are high.

(3) The musicians make it obligatory to use twenty-five men in a musical house. A composer does not have the option of scoring his musical for twenty-two men or sixteen. He must use twenty-five—or, at least, twenty-five must be paid. It's as logical as though the actors were to demand that every play must have twenty-six actors, outlawing all twelve-character plays. At the Attorney General's hearing it was brought out that four musicians employed at the Alvin Theatre for the entire run of *Mr. Roberts* never played a note.

(4) The stars: Self-interest, the prestige of high salaries, the social values of Hollywood and TV, have led stars and semi-names to demand very high salaries, much of which goes to income tax. The actors justify these salaries on the economics of a hit. But most plays are not hits. Actors should consider taking lower salaries, assuming that the saving is passed on to the public. As a group, however, the actors are reasonable. Actor's Equity is an enlightened union. Its wage scales and rules are fair, and it is deeply concerned about the future of the theatre.

(5) The Playwrights: Royalties on a hit play can total several hundred thousand dollars. The royalty scale was computed many years ago on the basis that a play would break even at less than \$10,000 a week. The break-even point is now at least double. One frequently hears of authors making considerable money while the production is losing. It would help the theatre if the dramatists were willing to take less. And it might help the dramatists—more plays might be produced. Again this makes sense only if the savings are passed on to the public.

It has been suggested at times that the remedies for the theatre may be found off-Broadway. But while off-Broadway has been quite successful in presenting many in-



Angelo Pinto:
Metropolitan Museum of Art

teresting foreign plays and some interesting new American one-actors, such as Albee's *American Dream* and *Death of Bessie Smith*, it has not often been successful at producing full-length, new American plays. Because of the limited capacity of the theatres, it still serves best as a training ground for talent and a place for experimentation.

Even off-Broadway, however, is being caught up in the price cycle. Orchestra seats are selling for about \$10 a pair, rent and advertising costs have risen, and the unions have made incursions. Some of the off-Broadway houses carry stagehands at \$150 a week while the actors get \$55. It would be considerably fairer if they were paid \$55 like the actors. Better still, these jobs should be performed by young people coming up in the theatre.

The investigation of the Attorney General may serve to stimulate thought about problems of the theatre that are even more corrosive than "ice." A reborn theatre is possible with a central body directing its reorganization into a more efficient and more cooperative group. As they say with ironic understatement about second acts out of town, "It needs a little work."

'The Deputy' and Its Metamorphoses

DER STELLVERTRETER. By Rolf Hochhuth. Rowohlt Verlag, Hamburg. Published in the U.S. as *THE DEPUTY.* Grove Press. 352 pp. \$5.95.

John Simon

When the gifted German novelist and playwright, Martin Walser, hailed *The Deputy* as "a legitimate offspring of the long overdue marriage of Sartre and Brecht," he was only half right. Though *The Deputy* owes much to Sartre's skill in casting political and philosophical polemics in highly stage-worthy molds, it has nothing of Brecht's alienation and epic theatre or even didactic satire. Erwin Piscator, who gave the play its first production (in Berlin), was nearer the mark when he called it "a historic drama in the Schillerian sense."

It is certainly true that Hochhuth has all the moral fervor of Schiller, the disciple of Kant, and that the ethical criterion of the play is a categorical imperative that will have no truck with relativist notions of comparative good or comparative evil. However, Schiller's use of the historic in drama is not Hochhuth's. Most patently in *The Maid of Orléans*, but also elsewhere, Schiller was willing to alter historical facts radically to suit his purposes, whereas Hochhuth is at great pains to include all possible historical data and limit his invention to the interstices—sometimes to the detriment of his play.

Actually, among Hochhuth's artistic forebears, two other great German historical dramatists figure more prominently: Kleist and Hebbel. It is Kleist's Romantic passion that largely informs *The Deputy*; its idealistic young Jesuit hero owes something to the Prince of Homburg and even to Michael Kohlhaas, figures whose noble passion makes them politically or socially culpable, but who are more troubled and complex than, say, the hero of Schiller's *The Robbers*. And it is Hebbel's notion of historical drama, based on Hegel rather than Kant, in which protagonists become symbols of their society, their age and the work-

ings of history, that importantly affects Hochhuth's dramaturgy.

This inevitably leads to the question of the role of historicity in historical drama. Does *Richard III* fail as a play because it is unfair to Richard? Does the fact that Anouilh makes his Norman hero into a collaborating Saxon invalidate *Becket*? Does Shaw's cramming *Saint Joan* full of twentieth-century hindsight and Shavian philosophy disqualify it as a historical play? Clearly historic drama can emphasize either half of its name: it can make history subserve the ideas and effects of drama, or use the drama as a vehicle for momentous historical truths. Though either approach is valid, the former is more likely to produce a work of art, the latter a tract in dramatic form. But the importance of the literate tract in the theatre should not be too readily dismissed, whether it is called *The Cradle Will Rock* or *The Exception and the Rule*.

It is equally clear that a major stumbling block is the question of contemporaneity. It is all right to be fiercely critical or freely inventive, or both, where a figure of the distant past is concerned—where our own world and memories are not incriminated and the plea of insufficient evidence can be advanced. Thus *Becket* may grossly caricature a twelfth-century pope and elicit no more than the arching of an isolated eyebrow, whereas *The Deputy* may make a twentieth-century pope less unsympathetic than its author personally considers him and yet provoke outcries of "Caricature!" from critics all over, regardless of race, creed or competence.

Let us consider the main artistic charges (as opposed to political ones) that have been leveled against Hochhuth's *Pius XII*. We are told that this Pius is not a worthy antagonist for the idealistic hero—in other words, the "caricature" argument in more sophisticated form; and that *The Deputy*, asserting as it does its historical authenticity, has no business imputing motives of a damaging yet unprovable sort to the Pope. Now if you believe in a categorical imperative to do right, as Hochhuth does, Pius can no longer be an equally convincing defender of an antithetical position as Kleist's Elector or Antony in *Julius Caesar*

can be. Absolute morality compels a pope to speak up in behalf of six million human beings, dead, dying, or yet to die—even if the consequences, to himself and all Catholics, were more manifestly dangerous than they may have appeared to be. By keeping the Pope as close to absolute silence as dramatically feasible, Hochhuth is actually lending the greatest possible dignity to a position he considers untenable. What makes Shakespeare's Iago a greater figure than Verdi's and Boito's is that, despite minor and inconclusive clues, he remains silent on his ultimate motivation.

Now for that motivation. Hochhuth has indeed put forward all conceivable reasons for the Pope's silence: the safety of Catholics, business and financial considerations, ecclesiastical politics (danger of schism), European politics (Hitler as bulwark against Stalin and communism), a kind of aristocratic hauteur and lack of human warmth, failure of nerve. Hochhuth does not insist on the equal relevance of all—indeed, he allows directors, actors, audiences and readers to consider some of them as irrelevant. If, however, it is objected that the particular juxtapositions are misleading, I reply that the need for compression makes them inevitable. And if it is maintained that there is still too much invention involved, I answer with the words of Lessing from the *Hamburgische Dramaturgie*: "Whoever reasons correctly also invents, and whoever would invent must also be able to reason. Only those believe in the separability of one from the other who are by disposition incapable of either."

Here we come to the crux of the matter. If Hochhuth had written a play about Pius XII and only about him, it is entirely probable that the play would have been, by accepted standards, more dense although not necessarily more substantial: much polemical material that is relegated to the "Historical Sidelights" of the play's appendix could have been set forth in greater detail in the play itself. Hochhuth, however—and here lies what is both the glory and the foredoom of his undertaking—is after something bigger: a historical fresco of the entire complex of events that begat and tolerated Auschwitz. No matter how important the Pope may be to the play, other elements are of equal impor-

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tance: the Germans, the Nazi Party, big business and science gone mad, the Catholic Church, other churches, individuals everywhere, and the metaphysics of evil as embodied in the play's one predominantly mythical character, the Doctor. What ultimately drags the play down to some extent is the very opposite of insufficient historical data: the excess of usable, and used, documentation.

We should note, then, that the Catholic Church, for example, is seen in the play not only as the Pope, but also as the Apostolic Nuncio to Berlin (who is a historic figure), the Cardinal (who, I suspect, also has a historic basis), the Abbot, three quite different monks, an important lay adviser to the Holy See, and, above all, the young Jesuit, Riccardo Fontana, who stands for not only the two priests to whom the play is dedicated, but also, in Hochhuth's words, "for those priests, mostly nameless, who instantly set love for their neighbor above all utilitarian considerations — ultimately at the price of their lives." It is thus that the entire spectrum of clerical reaction to the plight of the Jews is represented.

So the deputy—or vicar, or representative—of the title is not the Pope, who shirks his duty, but Riccardo, who takes on the Pope's burden and dies for it. Riccardo is a profoundly religious figure, and it is largely because of him that the play can justly call itself "a Christian tragedy." Indeed, it is the only major religious play written since the last war that I know of, and it is perhaps a fitting piece of worldly irony which would brand this one, of all plays, as irreligious. What makes Riccardo into a Christian tragic hero is not only the fact that he assumes the guilt of his Church and unsolicitedly becomes the vicar's vicar. It is the fact, too, that Riccardo's magnanimous desperation forces him toward two of the gravest sins a priest can commit: insubordination to his spiritual superiors, climaxing in the contemplated political assassination of the Pope; and an attempt to murder the villainous Doctor of Auschwitz. But something prevents him from committing either of these—perhaps salutary—sins: is it Providence in its wisdom, or just the weakness of the spiritual arm of this world? In his final despair, Riccardo is forced into something graver yet: doubting the very decency of God. (None of this, by the way remains in the preposterous Broadway version, to list all of

whose omissions would require another historical appendix.)

Riccardo's counterpart is Gerstein, who represents the secular hero and the lay sacrifice: the man of moral action who must, in a time of assassins, besmirch himself by ostensibly joining with evil in order to undermine it, and who, presumably, dies a death which is as anonymous as, but less expiatory than, the priest's. As opposed to these two, there are the two poles of culpability: the scientist whose evil knows no bounds, and the Pontiff whose goodness, unfortunately, does; or, to put it more abstractly, the sado-satanist doctor whom metaphysical silence drives to unconscionable crimes, and the high-minded trimmer whom unconscionable crimes leave physically silent.

Alfred Kazin has criticized Hochhuth's characterization of the Doctor for not having the horribly vulgar reality of Josef Mengele, the bestial doctor of Auschwitz. And this is, precisely, Hochhuth's problem. There is so much fact in his play that whenever he transcends it into fiction, into art, he seems fated to be immediately pounced upon by one group of partisans or another. Thus Kazin ignores the fact that there are several other characters in the play who quite sufficiently body forth the "sadistic clown and frivolous maniac" one might miss in the Doctor.

But if *The Deputy* is too multifariously ambitious to be a complete success, it does not flinch from attempting to pursue a theme into most of its terrible ramifications. In fact, the construction of the play is by no means unskillful in the way it manipulates characters through various scenes—dropping them and picking them up again—toward a final, perhaps somewhat disappointing, showdown. The suspense leading up to the Pope scene is ably handled, and there is also an effective contrapuntal construction: scenes involving individuals alternate with scenes involving larger groups or their typical representatives. (Nothing of this, either, on Broadway.)

Where the play really fails—aside from a certain weakness in some of the characters, partly a consequence of their numerosness—is in its language. Though it is written in free verse, and not at all in blank verse as Susan Sontag asserted in *Book Week*, this free verse makes very little sense in its line breaks, and its rhythms are far from compelling. In truth, it might as well be written

out as prose, though even as prose it would be no more than adequate. The one exception is the trio of monologues by representative victims in a freight car on the way to Auschwitz, where the style becomes more unabashedly poetic—not, however, with unqualified success.

What is much less successful, though, is the English translation of the complete text by Richard and Clara Winston. That they were unable to cope with the profusion of juicy dialects enlivening the language and making it ecumenical is understandable and forgivable, although their haphazard attempts at dealing with it are less pardonable. Thus they will Americanize a Nazi doctor who now experiments on "critters," or Eichmann, who now recalls the first "date" he ever undressed, and will turn an ironic reference to the Gestapo from "your friend in need" to "mother's little helper." They can likewise be unidiomatic or overliterate, as when a bowler is told "Take your stance!" or when an importunate visitor is urged by a Bavarian monk "Now please, take yourself off," or when "stir-craziness" emerges as "cabin-fever" and "easier said than done" as "easy to say, but hard to do."

The unfortunate truth is that the translation abounds in errors of taste and judgment, and, every once in a while, even misunderstands the text. Here are a few examples taken from one passage alone. The Winstons, in their prolixity, will turn Gerstein's simple statement, "The souls of the bystanders are also at stake" into a wordy bit of Sunday Christianity: "Those who keep silent are accessories to murder/ and they imperil their immortal souls" (p. 80). They will miss a piece of *humour noir* (p. 79), "people cremated on the family plan," by translating "whole families pushed into the ovens." They reveal ignorance when they refer to "St. Loyola" (p. 76), which is rather like saying "Sir Churchill." When Riccardo (p. 84) uses the conversational *now*, "now don't you go giving up God as well," the Winstons translate it as temporal: "you don't want/ to give up God as well, not now," as if the young priest might condone giving up God later. More serious is the mistranslation of Gerstein's pregnant words (p. 90), "Both of us will not survive this war" (i.e., either Nazi Germany or Western civilization must perish) as "Neither of us/ is going to survive this war."

Some of the worst excesses of the Winstons occur when, for no good rea-

son, they persist in veering toward blank verse: "If you insist on it, you'll die here/ like a snail crushed under an *auto* tire—/ die as the heroes of today *do* die, *namelessly*,/ snuffed out by powers they have never known, /let alone can fight. In other words, *meaninglessly*." (Italics mine.) But they are fully capable of still more mysterious lapses. Thus when the Pope makes the important statement that he leaves protest against the Nazis to the *Oberhirten* ("chief shepherds," i.e., the episcopate of the respective countries), the Winstons translate, "We leave it to the local parish priest." Again, when the Doctor jeers at a young Jewess who has managed to survive "our recent Feast of Tabernacles, the great autumn wine pressing" (i.e., bloodletting), we read "the Feast of Tabernacles, our harvest-home," which is meaningless. And when Riccardo exclaims, in abhorrence of the Doctor, "What sort of . . . of a devil are you?" we get "What a devil you are!"—straight out of Edwardian farce.

But at least the Winstons try, however clubfootedly, to keep up with the text and respect its integrity. No such thing can be said for the Herman Shumlin-Jerome Rothenberg adaptation we are treated to on Broadway. These two men have cut out, completely or in large part, any scenes of or references to utter horror, Jewish collaboration, Protestant indifference, Catholic inadequacy other than the Pope's. Thus no mention of Himmler's modeling the SS on the Society of Jesus, Cardinal Spellman and Catholic power in the United States, the Holy See acting as bankers for the Italian royal house while also doing business with Mussolini, the Pope's concern with liquidating the Church's Hungarian assets before the Russians march in, the callousness of the German bishops and their active support of the Nazis, and God knows what else. Almost anything beyond a decorous suggestion of Jewish suffering and Papal insufficiency, anything that might really draw blood or tears, is cut. Similarly, finer discussions of philosophy, theology, politics, history, literature—or even just passages where the style is a little more complex and poetic—are all ruthlessly cut.

Inserted, on the other hand, are—besides two scenes which are complete travesties of the original (I, 2; II, 1)—the kinds of vulgarity and pretentiousness with which Shumlin and Rothenberg have long been identified (I call special attention to Rothen-

berg's inept translation of German poetry, to say nothing of his own verse). Thus, for example, the Jew Jacobson, an ordinary middle-class person, a teacher perhaps, is turned here into a violent proletarian type continually complaining about his fleas: "They're killing me, the bastards. Look, my navel is raw from them!" and about "pee stains on my underwear . . . what a mess!" The Doctor is reduced to a *Playboy* magazine fan, "You spread their legs apart and read a textbook: hot confessions in the curls of hair," which does not even make sense. Poor Gerstein is obliged to chant incessant litanies—Rothenberg evidently considers the refrain a highly poetic device—and keeps repeating in two separate scenes, "My name is Gerstein!" and "No matter!"

Here are further examples of Rothenbergian poesy: "By the hair and teeth of God! By the plundered hair and teeth of God!" or "Take the star, priest. The light is in the star. The pain is in the star," chanted antiphonally into Riccardo's ears by Jacobson and Gerstein. This at least might stand as a parody of Christopher Fry; but what of "I supplicate, I beg, I grovel, I beseech, I whimper, I demand!" which can only be taken as a parody of Roget's *Thesaurus*. Again, when a young Italian girl is questioned by a Nazi about her fiancé, the text has her reveal that he died fighting in Africa. Here, however, he is made merely a prisoner of war, so that Roth-

enberg can let the girl scream: "He's blonder than you are! His hair is blond all over his body. It shines in the light." And so it goes. *The Deputy* on Broadway is like one of those comic-strip versions of a literary classic ("My name is Julien Sorel. I just got here!" framed in a balloon above a head) and as the characters bestride the stage you can virtually see the balloons coming out of their mouths.

What makes *The Deputy*, as Hochhuth has written it, important, however, is not so much the political revelation it may have made. Nor technical devices such as having the same actors enact several contradictory parts, to convey that in our age it is merely a matter of "military conscription . . . whether one stands on the side of the victims or the executioners." Nor the elaborate stage directions which bitterly project certain characters into the future, describing, for example, such and such a Nazi as a solid citizen of postwar Germany. What is momentous is that in an age which has progressively convinced itself that its significant dramatic form is dark comedy, that, to quote Dürrenmatt, "our world has led to the Grotesque as to the atom bomb, just as the apocalyptic pictures of Hieronymus Bosch are grotesque, too"—that in this era when "the death of tragedy" has become a literary commonplace, *The Deputy* stands as a valid tragedy: not great, but good, and anything but commonplace.

The Fuehrer's Not For Burning

THE REICHSTAG FIRE. By Fritz Tobias. G. P. Putnam's Sons. 348 pp. \$5.95.

Hans Koningsberger

On the evening of February 27, 1933, the Session Chamber of the German parliament building in Berlin, the *Reichstag*, was set afire and burned out. Four weeks earlier, Adolf Hitler had become Chancellor of Germany. One week after the fire, new elections took place which enabled him to complete his seizure of total power in the country.

The timing of the Reichstag fire made it *seem* a political event of the first importance. A young unemployed Dutchman of confused left-wing leanings, Marinus van der Lubbe, was caught on the spot and confessed. Immediately the Nazis announced that van der Lubbe could not have started

the fire alone and that the arson was the beginning of a Communist master plan for civil war. The Communists retorted that van der Lubbe had acted as a pawn of the Nazis and that the fire had been lit by the Nazis to justify their anti-Red terror; this view has gradually become accepted.

At the trial which followed, van der Lubbe was condemned to death but the four other defendants, among them the future Bulgarian Premier Georgi Dimitrov, were acquitted for lack of evidence. Nothing was proved by the trial except that German courts in the first summer of the Third Reich were still not totally subservient to the state, although in their verdict the judges clung to the unproved theory of a Communist plot and although van der Lubbe was beheaded under a law enacted *after* the deed.

Now, thirty years later, Putnam's

The NATION

publishes a book by Fritz Tobias, a German, who sets out to prove that the Nazis didn't do it, that van der Lubbe acted neither with the Left nor with the Nazis, but alone.

I think Mr. Tobias fails to prove that the Nazis were not involved. But much more important is the question: Why was this book written — and why did Professor A. J. P. Taylor of Oxford honor it with an introduction?

Before discussing the merits of Tobias' book, it is necessary to establish an important point: the Reichstag fire was actually not a crucial event in Hitler's rise to power. The burning down of a parliamentary building at the start of a dictatorial regime would seem a symbol fraught with meaning. The fire has been thus regarded. But the Reichstag did not burn down: only one room in it was gutted. The German deputies were not hindered in their tasks; after the elections they reconvened elsewhere on March 21 and three days later they voted full powers for Hitler.

Before the fire, Hitler and the National Socialists—with the German Nationalists as their allies—were already assured of control of the country. Goering was already head of the Prussian police and thus boss of Berlin. The anti-Red campaign was in full swing: the Communist press was already shut down, and most Socialist papers suspended. Even the Catholic Center Party had had its meetings broken up by the Storm Troopers. Certainly the Nazis tried to use the fire to create a hysterical fear of Communist violence. But when the German deputies voted Hitler his dictatorial powers (441 for, 84 against), it was almost a month later, and it must by then have been quite clear that the Reichstag fire had after all *not* been the signal for a Communist uprising. After, as before the fire, 99 per cent of the violence had stemmed from the Right. The fire did not change the course of events. If, as seems likely despite Mr. Tobias' book, it was an election stunt by Hitler, he didn't need it.

But whether or not the fire was needed, Tobias makes a feeble case for the Nazis not being responsible. A careful reading of the book shows nothing new or impressive in the way of evidence to exonerate them. Let us consider some of his major points:

On the subject of the famous underground passage from Goering's house to the Reichstag, he quotes a locksmith who pointed out that vari-

ous keys would be needed to unlock the doors in the passage. Goering could certainly have arranged that. Tobias mentions that a police officer, sent down into the passage by the judges, got lost, and he writes: "These facts . . . ought to have suggested how ridiculous it was to assume that a gang of foreign incendiaries could have rushed through that maze in record time." And later, "A group of seven to ten men storming through the passage would have been heard by the night porter of Goering's residence, even if they had walked on tiptoe." These quotes are a fair presentation of Tobias' line of reasoning, and the author ends on that note. He does not go on to say the obvious, i.e., that while all this may disprove that foreign agents used the passage, it surely does not prove that Goering's men did *not* use it.

At the Nuremberg trials, General Halder, Chief of the German General Staff in World War II, filed an affidavit (N.D. 3740-PS), in which he stated:

At a luncheon on the birthday of the Fuehrer in 1942 the conversation turned to the topic of the Reichstag building and its artistic value. I heard with my own ears when Goering interrupted the conversation and shouted: "The only one who really knows about the Reichstag is I, because I set it on fire!" With that he slapped his thigh with the flat of his hand.

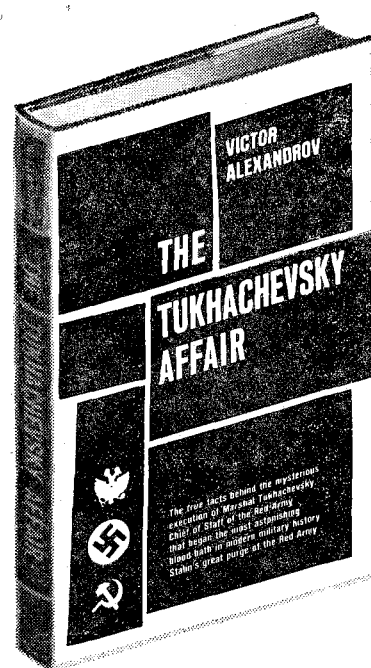
Tobias dismisses this much publicized statement as follows:

Now, even if Goering did make the remark Halder alleges he heard, the fact that he slapped his thigh suggests strongly that he must have been joking. Halder would certainly have missed the joke, for his lack of humor was proverbial.

This passage is typical of the author's sleuthing (one might also note that at the Nuremberg trial Goering himself never came up with Tobias' "joke" explanation of his statement).

Another major argument of Tobias is Hitler's "maniacal" fury on arriving at the scene of the fire. Surely, Tobias argues, this proves the innocence of the Nazi leaders. This psychological interpretation is so open to question that it is hard to believe Tobias builds much of his case on it, quite apart from the fact that he does a grave injustice to Hitler's histrionic talents.

What of van der Lubbe, whom Tobias claims to have set the fire alone? Since it suits the author's theory to present the young Dutchman as more intelligent than his behavior



Why did Stalin purge the Red Army on the Eve of World War II? **THE TUKHACHEVSKY AFFAIR**

By VICTOR ALEXANDROV

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at the trial indicates, he tries to explain away that behavior. According to the trial records, van der Lubbe spent his days in court mostly in silence; occasionally he burst out laughing. Tobias tells us: "But how could van der Lubbe help laughing when so much pomp and circumstance was being wasted by the highest court in the land . . ." (on tracking down his accomplices when there were none). And elsewhere, "In short, van der Lubbe laughed whenever he was given cause for laughter." He does not explain how he found out what that cause was. All in all, most of Tobias' arguments are based on highly subjective interpretation and on deductions that Nancy Drew would sneeze at.

Why, then, was this book written? Fritz Tobias, the dust jacket tells us, "was among the first group of Germans to lose his livelihood as a bookseller immediately after the Reichstag trial when Hitler assumed dictatorial powers." (In modern German fashion, the next date in his biography is 1946.) Mr. Tobias, who was twenty-one at the time, lost his job because he happened to work in a trade union book store which closed—not because he was fighting for freedom and democracy. But this fact is buried inside the book. Furthermore, Hitler didn't assume dictatorial powers after the trial, he was voted those powers before the trial. Thus the jacket statement already sets the stage somewhat dishonestly.

One's suspicions are confirmed. The book itself appears to be a subtle apologia for Nazism with anti-communism as a prop. Tobias may thereby be serving an unsatisfied German need for self-justification; but whatever his motive, there are dozens of passages which confirm the impression of a delicate whitewash. Here are only two:

In a chapter called "Counter-Attack," the author tells us in so many words that the Nazi terror was to a large degree a reaction to the maligning of the regime by Communists and refugees:

Every sign of trouble, however slight, in the Third Reich was systematically blown up to gigantic proportions, and when there were no signs of trouble at all, the Communists would simply manufacture them. Incensed and full of righteous indignation, the Nazis hit back. . . .

And later:

Apart from press attacks, the

German government also had to brave military attacks, which did not help to soothe tempers in the cabinet. Thus, on March 6, 1933, Poland occupied the Westerplatte off Danzig — a fact that is generally forgotten — and encouraged the French and the British to use force as well. Luckily for Hitler, the Western powers refused, in the mistaken belief that the collapse of the Nazi government was only a matter of weeks away.

It is worth pondering on this last quote, published by a "good German" in Germany in 1962, published in England in 1963, and in the United States and Canada in 1964. What was this "generally forgotten" occupation of the Westerplatte? I thought I knew modern German history, but I had never heard of it. Here is what I found in *The New York Times* of March 7, 1933, in a brief item buried on page 16:

"The Polish steamship . . . docked this afternoon at the Polish ammunition depot at Westerplatte and landed 100 Polish policemen. . . . Poland, fearing a Hitlerite raid on the small peninsula where she stores ammunition, doubled the force there." This is the Polish aggression which explains why Hitler attacked Poland seven years later. (As far as the British and the French are concerned, "encouraged to use force as well," only too many of them hoped Hitler was here to stay and to protect them against the Communists.)

The Westerplatte distortion well-nigh tops the case against this book. Apart from a diatribe against communism, its message is that the Nazis did not set the Reichstag on fire, and that they might not even have set the world on fire if they had not been so angered by men like Willi Muenzenberg and his "anti-Fascist education campaign" in Paris, or Albert Norden who testified about the fire behind a mask to disguise his "pronounced Jewish features." (The quotation marks are those of Tobias, who apparently uses them to show that not he but others have stumbled over Mr. Norden's origin.) Hitler's delusions, Tobias says, "remind one so forcefully of Don Quixote's tilting against windmills or drawing his sword at empty wine skins."

Here we see the creation of a brand-new image: genocidal Hitler as Don Quixote, with presumably Goering as Sancho Panza. It makes a nice picture: visualize it framed in the officers' mess of one of those multi-

national nuclear NATO ships we are all looking forward to.

The question remains: how did an Oxford professor come to write the introduction for this book? Mr. Taylor, whose *Origins of World War II* tried to prove that the Nazis weren't any better or worse than the rest of us, calls the case in his introduction, "Their (i.e., the Communists') best stroke since the affair of Sacco and Vanzetti." This amazing statement is outdone by a more general comment of his on the year 1933: "In those days many of us were passionately anti-Nazi, and were ready to believe any evil of them." I wonder just when Mr. Taylor changed his mind about the Nazis.

Hans Koningsberger is a novelist (his most recent book was A Walk with Love and Death, Simon & Schuster) and a political reporter at large for The New Yorker.

ART

Max Kozloff

Of all the younger-generation American painters, Jasper Johns and Robert Rauschenberg are the most famous. Johns, thirty-three, probably has the dubious distinction of being the more problematical, and the more censured. This quiet artist, whose favorite color is gray, and whose characteristic tone is self-effacing, has unwillingly managed to antagonize the greater part of his audience. None of this would have much interest as a situation, however, were it not that Johns, almost single-handed, deflected the course of Abstract Expressionism about six years ago. Today, neither Pop Art, much of current assemblage and abstraction, nor in fact, the whole bright, chilly tenor of ambitious painting would be really conceivable without the example he set in 1958 with his celebrated targets and flags. He transferred the attitudes (about flatness versus illusion, for instance) of such painters as de Kooning and Guston to the mechanics of his own art. And whatever was irresolute and ambiguous in their artistic disturbances, he made deliberate. It is on this issue of deliberateness that Johns's work justifies itself, and most often provokes misjudgment.

This month for the first time, one can view the production of Johns in an extraordinarily detailed and comprehensive retrospective at the Jewish Museum—the trenchant swan song of

its departing director, Alan Solomon. A question, by no means as easy as it sounds, immediately presents itself: before a Johns painting, what, in fact, is one really seeing? Let me take as an example a very recent and richly thought-out oil — "Field Painting," 1963-4. Two thin, vertical, generally gray canvases, have been separated about an inch from each other, just enough to allow the free turning of wooden letters hinged to their facing edges. Attached to the letters are various objects, summarizing the repertoire of Johns's earlier creations: two paint brushes, two cans (beer and coffee), a table knife, a little squeegee and a roll of solder. Above, shines an orange neon "R." The letters spell red, yellow, blue, echoed (in oranges, grays and mauves) on the canvases themselves, as if the painted letters were an antiphonal response to actual ones. Furthermore, the objects themselves are tintured with clerkish touches of paint, while off to the left are snappier, broader strokes, not dissimilar to Action painting. Most of the visual material here is sequential, but disarranged, resisting any kind of continuous "reading."

Already it will be obvious that if one sees merely an inventory of the things Johns includes in his "field," one sees nothing — and misses the experience. It is frequently maintained that there is something passive or neutral about his method of working, but in this painting, as in many others, if the emotional environment is flattened out and muted, its operations are a series of the most violent resistances — to logic, pictorial structure and coherent symbolism. What unites Johns's motifs is his persistent disclaimer that they are what they are. By means of dislocations and driftings out of focus, he contradicts what one knows with what one sees. The very difficulty of settling out the notions of painting, language, movement, color, as they are entangled in his visual scabble, detonates that unease which is now the perversely proper condition of viewing.

It cannot be reasonably asserted that Johns plays unfairly here. Far from concealing valuable clues to his intention, he gives too many — like any good mystery writer. Yet the enigma, ultimately, is not about some relationship contained within the organism of the painting, but the nature of the organism itself. Can a picture give off its own light, make some of its constituents freely changeable, or

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finally abandon pretension to style in successfully bringing forth many styles — and still be a painting?

It has never occurred to many concerned spectators that these may be serious issues. Hence, one often hears objections that Johns is eclectic, frivolous and gimmicky (sin of sins!), that he makes the viewer far too conscious of the devices employed, or that he emphasizes the parts of his work at the expense of the whole. But this is to overlook the fact that dismantling intellectual preconceptions and pictorial prejudices can be a complete process of vision in itself, and that it is cliché-thinking to insist on a purity that exists neither in art nor in life. The critical shibboleth which maintains that if one removes the objects from Johns's paintings, they fall short as works of art unknowingly vindicates the integrity of his attack. Imagined as less than itself, any work of art would be unsuccessful. As for Johns, his subtle agglomerations are about as divisible as paint strokes — a fact which the artist underlines by camouflaging artifacts under paint itself.

Still, the question remains: what does he show? Apparently it is not just something disassembled mentally,

and reintegrated pictorially — but recognizable things, such as flags, maps, targets and letters. But by this token, one is unfortunately not yet entitled to call Johns a representational painter. For one thing, he is much too logical in his choice of motifs. The figure 5 (in his "Black Figure 5"), for example, is not a representation, nor even an image of 5, but the number itself. Theoretically, maps and flags fall into the same category: configurations which are conventionalized to begin with, and cannot be "rendered" or duplicated, without becoming originals. (Spatially too, Johns never employs schemata which are not normally as flat as his surfaces.) As a result, his pictures, familiar as are the objects they present, do not have "subject matter" — for that implies a difference between the visual medium and the thing referred to. What one apprehends are merely so many abstract forms, upon which social usage has conferred meaning, but which now, displaced into their new context, cease to function socially. From this tremendous insight alone, has sprung the momentum of Pop Art, and the huge quantities of abstraction that is emblematic in character. But it is to misunderstand Johns greatly to suppose

A piece of the action from Newsweek:

"Cute-Meet"

"The lady and the psychiatrist meet at the complaint department of the department store, because his couch was sent to her and her couch was sent to him. Or the guy in the limousine splashes mud all over the girl, and it turns out he's a dry-cleaning king. Or they are alone at closing time on the Observation Roof of the Empire State Building — and each thinks the other is trying to commit suicide. The device, used to set off all romantic comedies, is called the cute-meet, and its survival in the history of the cinema is like that of the horseshoe crab in the history of life."

*From a recent Newsweek Movies column.
A glimpse of how we read these days.
Have you read Newsweek lately?*

Newsweek

him intrinsically interested in his motifs — a forgivable boner of early criticism — or to think him concerned with new formal discoveries, an idea repudiated by his employment of systems in which every relationship is predetermined.

What constantly interferes with either interpretation, and tells you that image is not reality, is a nondescriptive brushy activity. Compositionally all over, but delicately pressured and nuanced, Johns's handling acts as palpable *interference* to meaning and metaphor. Once perceived, and it is impossible not to perceive them immediately, the paint marks wedge open the continuity between idea and execution, at least as normally exemplified in the creative process. They call attention to themselves, not as physical equivalents of gestures — as in the Abstract Expressionism from which Johns derives historically — but as calculated intrusions into alien territory. The same goes for his pictorial fudging in the three-dimensional medium of sculpture, or rather—since

his themes here are shoes, flashlights and beer cans — objects (or casts of them) which are trying to become sculptures. Their pictorial patina simultaneously dispels their "thingness" and yet emphasizes these works as "representations" of the things they once were, or came from.

Few of Johns's detractors realize that he is an art-for-art's-sake painter — incognito. Discovering this is a question of reading out his intention from one's own puzzlement. Unlike the Dadaists, who juxtaposed objects or images without supplying the connection, Johns very straightforwardly tells us what it is — paint: precisely the one most incongruous agent. With a rather sinister spirit some observers have mistaken for sadness, he demotes paint to the status of a mere covering, and yet deposits it so caressingly as to make one think that the canvas was once some vast erogenous zone. This is not the usual aestheticism of an artist for whom sensation is precious; on the contrary, what is precious for Johns is whatever doubt he can elicit as to the identity of the thing he creates. Yet from this he is anxious, I think, to make not a riddle, but poetry.

The genesis of Johns's poetic vision began with the flags and targets of 1954 and 1955, installed fittingly in the last room of the upper floor at the museum. At first, the forms are very discrete and precise, the colors strong, but they soon vanish, and give way to gently pulsating façades, generally gray, and less frequently white (e.g., "Drawer," 1957). Splashier, looser painting is then introduced, roughly around 1959 ("False Start"), in which ganglia of colored strokes spatter a field now stenciled over with the names of hues other than those which they "label." From this time, too, date many of his numerologies, his tentative dealings with rotative actions in paint (caused by moving measuring sticks through it — "Device Circle") and, finally, the extraordinarily varied series of maps. These latter take as their theme the map of America, paint it in a kind of outdoorsy bravura, and make of the stenciled state names a sprinkled punctuation of cold and hot color notes. Johns's color, in fact, has a schematic quality, and is limited in range (usually confined to unmixed primaries and secondaries such as reds, blues and oranges) which the artist unsuccessfully encourages the spectator to view as impersonal.

Documented almost work by work at the museum (and with a solid representation of his drawings), the last

three years of Johns's activity accelerates the imaginative complexity of his art, even as it unfolds new images, such as the bronze Ballantine Beer cans, the flashlights, light bulbs, and the metronomically disposed paint bands capped by hand prints (as in the great canvas called "Diver"). And yet these paintings, differentiated as they are, are often merely the basso *ostinato* to the treble of objects, which when the two are joined together, produce the strangely modal orchestration of the Johnsian combine. One thinks of the broom and its sweep in "Fool's House," and the canvas within a canvas of "Viola." By interchanging motifs and techniques, he continually refreshes his development, and halates his realm of inquiry apparently without end. But just as the allusions to Dada, and particularly Duchamp, increase as we near the present, so does the painterly energy, and the curiously muted spontaneity of the artist's handling—now, more than ever, recalling Abstract Expressionism.

It is at this time, with an *oeuvre* very much in progress, that Johns is incurring the most displeasure. For those to whom the future appears to lie only in a more rigorous conceptualization, he is shamelessly sensual; to others who insist on pure, physical painting, his art is over-intellectualized. This alone should gain him the respect of more detached observers. Clearly, his intention is limited neither by the one goal nor the other, although it draws fuel from them both. What finally happens when one views one of his works, I think, is the slowing down of the perceptual process until it grasps the immobility, and more important, the immutability of visual art. If his theme is permutation and metamorphosis, (delicately underlined by his employment of such equivocal materials as wax encaustic and liquid sculpt-metal), he can nevertheless instrument it only by accepting the still point, the "thereness" of the created object. That his results frequently impress us not so much as objects, but as presences, that his incongruous shocks elicit oscillating intuitions of totally opposing possibilities, is a sign of a new power of abstraction. And in no other artist I know, is this more animal and yet sophisticated. One can name the ingredients in his work, but the names are neither usable nor descriptive of the hypnotic experience they give. And the time one can devote to looking at works of art sustains, rather than diminishes, this hallucination. It is Johns's special touch.

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Though there may be doubts as to the merit of Rolf Hochhuth's *The Deputy* as a play (Brooks Atkinson Theatre), there can be no question as to the absorbing interest of its material. The blunt fact is that I found myself so intent on the subject that I very nearly ceased to concern myself with the performance as an evening in the theatre.

Before saying anything further about *The Deputy*—which has been produced in Berlin, London, Paris, Vienna, Stockholm, Athens—I should like to comment on the implications of that opening remark.

It is nonsense to maintain that we see and judge plays entirely in the light of their "creative" values. If we have no personal relation to a play's human content, we are not likely to understand it all or care anything about it. Imagine a person incapable of passion at a performance of *Romeo and Juliet* or *Tristan und Isolde*. True, there would still be the language of the one and the music of the other, but even these would lose their affective force for such an auditor. He might well ask, "What's all the excitement about?"

Allardyce Nicoll, the English theatre historian, made a point some years ago at an international drama conference, citing a passage from my book *The Fervent Years* which describes the opening night in 1935 of Odets' *Waiting for Lefty* as follows: "When the audience at the end of the play responded to the militant question from the stage—'Well, what's the answer?'—with a spontaneous roar of 'Strike! Strike!' it was something more than a tribute to the play's effectiveness. . . . Our youth had found its voice. The audience was delirious. It stormed the stage. . . ." Professor Nicoll held that such a response to a play was a form of mass hysteria and thus not a proper attitude for a theatre audience. It lacked the necessary objectivity for artistic appreciation.

Perhaps so. We always hope for and seek perfect unity between form and content in a work of art, but I suspect that complete "Apollonian" detachment from the sources of an artist's inspiration—the living matter which generates his work—is even more foreign to relevant judgment in the arts than is complete identification with those sources. I very much doubt that the Athenians who attended the plays of Aeschylus, Sophocles, Euripides and Aristophanes viewed them with the

contemplative calm presumed by doctors of aesthetics to be the correct frame of mind for cultivated enjoyment. All of which makes me sympathize with the critic who, when asked about his favorable review of Dore Schary's *Sunrise at Campobello*, "You really liked the play?," answered "I liked Roosevelt."

An evaluation of *The Deputy* at this moment is difficult, to begin with, because while it was written as a Schiller-like epic drama—the published text would take more than six hours to perform—each of its versions has had a different translator, and been staged and cut by a different director. Even more taxing to strict criticism, an ambiguity in the dramatist's motivation has led to a confusion in the audiences' reception of the play everywhere.

Apparently Hochhuth set out to write a dramatic "poem" on the existentialist question: Why should a young Jesuit priest, martyring himself on behalf of the Jewish victims of Nazi savagery, cling to his belief in God when all the evidence of his ac-

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A piece of the action from Newsweek:

"Mop Tops"

"Beatlemania has been pegged, by the sociologically inclined, as a protest against the adult world, but the grown-ups have it backward: the Beatles' appeal is positive, not negative. They give kids a chance to let off steam and adults a chance to let off disapproval. They have even evolved a peculiar sort of sexless appeal: cute and safe. The most they ask is 'I Want to Hold Your Hand.' Their mop tops, if not actually blurring the dividing line of sex, certainly soften it for many of their fans in their early teens, or younger. 'The Beatles are just so funny and nice and, well, cool,' said one New York 13-year-old."

*From a recent Newsweek Music column.
A glimpse of how we read these days.
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Newsweek

tual experience contradicts any rational justification for such faith? But this theme was lost sight of in the development of the work because the author was carried away by the more burning question of why the Christian world—embodied in its most organized Church—failed to protest the blackest crime in history: the systematic slaughter of six million Jews between 1941 and 1944. The outraged moralist and historian in the author superseded the religious artist.

The climactic scene of the play becomes, therefore, the one in which Pope Pius XII (Pacelli) refuses to denounce the Nazi action against the Jews or to abrogate the Concordat between Hitler and the Church. It makes the play appear to be primarily an attack on the Pontiff and, by extension, on the Catholic hierarchy.

This is a distortion of the play's significance and value. It should not be construed as anti-Catholic. Even the Pope's role in the dramatic context should not be considered central. The play's real protagonist is Father Fontana, whose tragic outcry and as-

sumption of Jewish martyrdom lie at the heart of Hochhuth's message. What the play tells us is that we all share in the guilt of those years, for none of us acted with sufficient vigor, none of us protested bitterly, clamorously, specifically enough. The governments of Britain and France, to go no further, are as open to the play's accusation on this score as was the Church's chief deputy.

If the audience misses this point, its failure is largely due to a weakness in Hochhuth's dramatic thinking, his inability to bring the play's larger issue and the detail of its scenes into focus. Father Fontana is less vividly and convincingly drawn than are his more compliant fellow clerics. Yet, despite these grave defects of dramatic statement, it would be false to deny the play's hold on our attention or its power to stir.

Herman Shumlin's production is unfortunately not nearly as gripping as it should be. It lacks impetus and bite. Jeremy Brett is a good choice for the role of Fontana, though his

part seems underwritten in this version. But most of the cast on the second night, except for Fred Stewart as an unctuous cardinal, struck me as insecure, either from insufficient rehearsal or lack of aptitude.

Emlyn Williams, on the other hand, possesses all the skill and authority needed to play the Pope, but his (or the director's) choice of interpretation was misguided. It damages the play to make the character soft or to suggest, even in the slightest degree, a suave insincerity. The part is not written that way. From a political standpoint, the Pope's arguments are "sensible" enough. His behavior toward the Italian Jews was irreproachable and his general attitude in the circumstances was less reprehensible than, let us say, that of Chamberlain in respect to the situation in 1938. The part could and should be read with dignified strength, masterly self-possession and with the firm conviction that the Pope is "right."

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Opening Night at The Deputy

Around 9 o'clock, the pickets dispersed, still shouting and chanting. A few of them went into the Honey Donut shop across the street from the theatre for coffee and ideological discussion. They said they were from the Nationalist and Conservative parties, the John Birch Society and the Young Americans for Freedom, and that they usually kept religion and politics separate. Between denunciations of the "leftist press," they agreed that the "civil riot movement" for "racial hate" was fomented by Communists. (The mind boggled at the depths of their antipathy for hate.) "It can all be documented," a tense crew-cut type who said he was a member of "The J.B.S." kept repeating.

On the street, the play was letting out. One lingering picketer still held up a sign proclaiming "Bigots Enjoy Deputy." The Honey symposium was ending too. "The American people have no choice," said one picketer. "That's why we're here. Freedom is a nice idea, but it's not practical. Some people just don't know what freedom is."

"Watch your language," said the waitress, "this is a donut shop."

John Kifner

Mr. Kifner is on the metropolitan staff of The New York Times.

MUSIC

Benjamin Boretz

The young virtuosos who have been transforming the quality of new-music performance in New York now seem to have produced a striking transformation in musical life as well. For the flair and enthusiasm with which they devour the most complex mechanical and musical intricacies have generated an atmosphere of great performance excitement around difficult music, which has thereby become the focal repertory for a kind of musical off-Broadway. Like its theatrical counterpart, this activity draws a steadily growing public composed largely of students, professionals and intellectuals in other fields who are evidently prepared to present themselves at places strung out geographically from the New School to Carnegie Recital Hall to Hunter College to Columbia's McMillin Theatre to attend concerts composed entirely of twentieth-century music, for which their approval seems to vary in direct proportion to its manifest boldness. The result, of course, has been a proliferation of such events, and a tendency to search for music presenting the farthest-out surface complexities. But far more important, all this activity has provided a basis for a contemporary performance practice, wherein listeners and musicians can become dependably informed on what is going on in the compositional world, and through which both new works and, perhaps even more significantly, the great classics of the twenties and thirties, are finally being heard within a proper sonic and presentational environment.

Thus Schoenberg's protest that his music was "not modern, but only badly played" appears to have been far more than a bitter joke. As long as performers continued to approach all twentieth-century music as equally "modern," their performances necessarily insured its impenetrability to their audience, regardless of how much time elapsed after its composition, or how frequently it was performed. Given this situation, it was obviously impossible for the cycle to be broken within the conventional music-making world. Significantly, the new approaches have been developed mainly by composer-performers, helped by those New York studio musicians who are the world's best sight readers and instrumental technicians.

For players whose training and experience orient them to regard cer-

tain habits and attitudes as norms will always misconstrue a context in which different norms are operating. In fact, the greater the apparent surface resemblance, the more serious the danger of misrepresentation. And even the highest degree of conventional virtuosity and literal accuracy could never overcome the awkwardness of playing from "outside" the music; every leap became a special effect to a scale-oriented approach, every single-pitch attack became a traumatically isolated single event when set against a norm of extended linear sequences; every dynamic differentiation became an accent rather than a simple separation of levels; and an off-beat was always a sharp syncopation rather than a particular position within the time-dimension. Thus every action required by the basic syntactic premises of important contemporary music imposed a severe strain on the capacities and concentrative powers of the best conventional musicians, and the result was what used to be called "expressionism" by the unwary critics who had forgotten to bring scores or who didn't know how to read them.

That such qualities have nothing to do even with a work as famous for them as *Pierrot Lunaire* was evident

in the performance conducted by Harold Farberman at Carnegie Recital Hall on February 16. In fact, what one was mainly aware of in the notoriously "melodramatic" *Sprechstimme* line was the way Bethany Beardslee's performance not only revealed all of her marvelous security and beauty of sound, but was so transparently and intimately integrated into the total ensemble that one could also hear Robert Helps producing some of the most sensitively articulated and delicately adjusted piano playing imaginable, especially in relation to the clarinet and voice.

Gunther Schuller's Twentieth Century Innovations series, however, is the principal yardstick with which it has been possible to measure the inadequacy of conventional performances of the "classic" twentieth-century literature. The problem is quite severe, since these earlier writers never developed within a generation of performers as our present composers have been able to do. Although Schoenberg had Steuermann and Rosbaud as interpreters, very few others emerged to develop a real "Viennese School" tradition; Stravinsky has been preserved largely through

A piece of the action from Newsweek:

"Craggy steppingstone"

"Appalachia is an evocative word. It conjures up legendary names like Boone and Crockett, fabled Americana like the Hatfield-McCoy feud, pungent place-names like Granny's Branch and Pigeonroost. Appalachia was the wild, craggy, menacing steppingstone to the U.S. West. In folklore, it became the land of the long rifle, the moonshiner, the child bride, and the revenooer no less than the timeless locale of Li'l Abner's Dogpatch. Physically, Appalachia today is the spit and image of its legends, but instead of lean, inscrutable mountain patriarchs, there are tired, numbly polite men presiding over clans of birth-worn women and tribes of pasty-faced children."

*From a recent Newsweek story.
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his own performance activities. Today, the younger players who can produce the extreme articulations demanded by their own contemporaries' music, often find the essentially tradition-oriented successions in Schoenberg as defeatingly difficult as do conventional performers. Thus Schuller has been almost alone in providing the essential example, demonstrating, work by work, that these legendarily unplayable pieces are no more intractable than, say, the Beethoven *Grosse Fuge*, which is really the tradition out of which they arise.

Thus far this season, Schuller has done the Schoenberg Serenade, the Webern Concerto for Nine Instruments and the Berg Chamber Concerto. None of these performances has been perfect; the problems of balance, intonation and long-range structural connection are simply too formidable to deal with in severely limited rehearsal time. But despite any such deficiencies, the essential qualities of continuity, texture and temporal succession in these works have been unmistakably projected. One realized, for example, precisely in what sense Schoenberg's use of individual rhythmic continuities and analogies to Classical style determined his idea of a serenade. Perhaps the most successful section was the "Song Without Words," in which Matthew Raimondi played the violin solo with such precision and alertness that a myriad of subtle inflections fused into a remarkable recasting of the image of a Schubert or Mendelssohn

melodic line. The impossible problems of balancing the thickly textured winds with the violin and piano, and of finding the rhythmic and harmonic thread amid the perpetual counterpoint of the Berg Concerto, were also attacked with Schuller's special kind of cool, rational penetration that seems able to ferret out maximal clarity under the most catastrophic conditions. Here, as elsewhere, Paul Jacob's electronic-music pianism managed to impose a sharp, lucid directionality on the entire ensemble, while Raimondi's command of the refractory violin solo was much too authoritative to have been so largely inaudible.

Some of the most brilliant individual mechanical and musical virtuosity has been evident in the Columbia Group for Contemporary Music's performances at McMillin Theatre of works by middle- and younger-generation American composers. The unique phenomenon in this group is the flutist Harvey Sollberger, who can maintain a continuous articulative thread while darting between registral extremes, producing an effortless succession at any speed of any combination of inflective changes. Gazzeloni, his nearest rival in these realms, seems clumsily slow by comparison, and has nothing like the timbral purity that Sollberger has recently developed.

Otherwise, the group's most impressive achievements arise from its tightly integrated ensemble work and high individual responsibility, such as can be achieved only when long rehearsal periods are possible, and which can sometimes result in performances wherein the usual residual impediments to transparent projection of sound-image and continuity seem to have disappeared, leaving the performance almost a bodiless medium between composer and listener. Its performance of Milton Babbitt's Composition for four instruments was a revelation from this point of view, since it is characteristically a work whose special coherence will emerge only through the precise balancing, weighting, differentiation and connection of every sonority. The incredibly stop-start articulation achieved through all ranges of registers, dynamics or sound qualities, at all speeds, by Arthur Bloom's clarinet playing was perhaps the single principal determinant factor (most of the other clarinetists around New York use a Reginald Kell breath rather than a Benny Goodman tongue articulation for the slow-attacking but sweeter sound that results). Bloom's kind of playing also

seemed ideal for the marvelous Bartók *Contrasts* done by the group, as well as for Lukas Foss's *Echoi*, a work that builds considerable performance excitement, and that can project far more striking sounds and ideas than anything to be heard in other pieces similarly generated, when all its elements are kept as tightly under control as they were on this occasion.

I have been able to mention only a very small proportion of the activities that have taken place during the last few months. Max Pollikoff's YMHA series, the Composers' Forums at Donnell Library, the Ford Foundation commissioning series, the ISCM, the Hunter College Lecture-Concert series, as well as numberless individual events, have left too little time for mature consideration of the possible implications of such an explosion. Obviously, much of the excitement is superficial, aroused by the spectacular aspects of the music and performances. But anyone who suffered through long years of attendance at those painful slaughters whose only value to contemporary musical experience was their infrequency, will hardly be moved to complain on that score, as long as the programs continue to include enough of the interesting work that is being composed.

Here, however, it is worth pointing out that there is a major gap in the representation offered by most of these groups. Although one can understand their commitment to the avant-garde, it seems unfortunate that programs must be filled out with less impressive works presenting the same kind of surface approach, a practice that diminishes the impact of the genuinely worth-while ones. In the last six months of frantic new-music concert going, I have not heard a single new chamber work by any serious and important conservative composer. Why should one have to go to a concert consisting entirely of their kind of music to find out what Samuel Barber, William Schuman, Norman Dello Joio, William Flanagan, or Vincent Persichetti have been doing? With all the present activity, I should think it no more than responsible reaction to a promising situation, and in the professional interest of everyone involved, to find ways of informing the musical community as fully as possible about everything of professional consequence that is taking place.

A second column will deal with some of the new compositions heard during the first half of this season.

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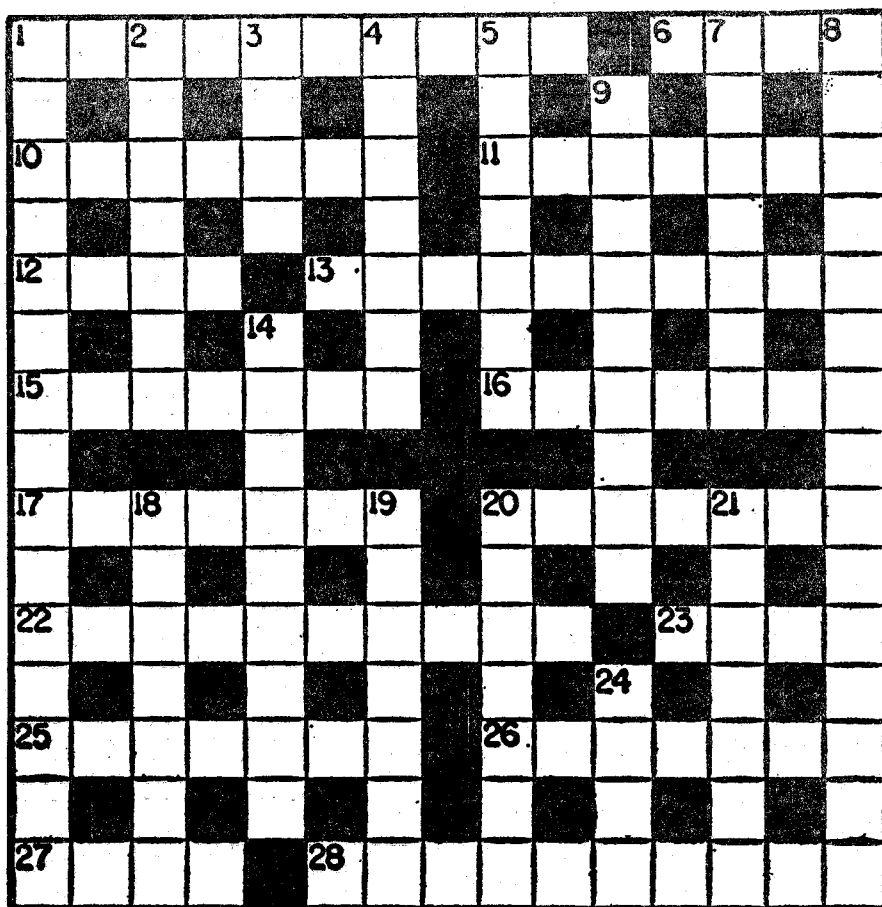
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Crossword Puzzle No. 1050

By FRANK W. LEWIS



ACROSS:

- 1 Gracious, the things I talk about in my sanctimonious memoirs! (2, 8)
- 6 Crab meat? (4)
- 11 and 10 Possibly smoking jacket as well. (1, 6, 2, 5)
- 12 Want, to a great extent. (4)
- 13 It could be deer have to get flushed this way! (10)
- 15 What might be sweet when spread about a British politician makes him a killer, perhaps. (7)
- 16 Not asked of a licensed physician, but the answer might be pretty steep. (5, 2)
- 17 Drawer holding a pamphlet on heraldic yellow. (7)
- 20 Speaker, small, but loud. (7)
- 22 Hailing faint perfume exhibiting a play of colors? (10)
- 23 Turner of the late period, but traditional? (4)
- 25 How to make an insect carry insectivore. (3, 4)
- 26 Such a vessel holds bitterness a long time. (7)
- 27 Exposes manifestation of pride. (4)
- 28 Not so difficult to make as Saturn, to those who might try to make the moon. (10)

DOWN:

- 1 The wrong man losing a tooth, or just a piece of it. (9, 6)
- 2 An abominable place. (7)

- 3 Alternative, to a degree, but orbits are found without it. (4)
- 4 Indigenous people. (7)
- 5 A line of poles holding a bird. (7)
- 7 What is left by some people as the remains of set teas. (7)
- 8 If you tell them to go to blazes, you won't have to tell them to mind their own business. (4, 11)
- 9 A picket takes sides, perhaps, but one who calls us so might have been brave. (9)
- 14 Perhaps a deep trust in the way it behaved, when the fat was in the fire. (9)
- 18 Is a red apt to be one that can convert? (7)
- 19 Lists concerning the quantities of wood collected by some teen-agers. (7)
- 20 Anger at getting the bird? (7)
- 21 Hear out the author, naturally! (7)
- 24 They walked all over this king, by design. (4)

SOLUTION TO PUZZLE NO. 1049

ACROSS: 1 Strong-armed; 9 Operator; 10 Smooth; 11 Crew-cut; 12 Silesia; 14 Carats; 15 Handball; 17 and 23 Tackling dummy; 20 Billed; 22 Hand-off; 24 Pickled; 26 Summer; 27 Chairmen; 28 By your leave. DOWN: 2 Throwback; 3 Outruns; 4 Garb; 5 Russian; 6 Evoke; 7 Sparta; 8 At will; 13 Thugs; 16 Balakirev; 18 Abacus; 19 Inferno; 20 Brigade; 21 Evened; 25 Scar.

PUBLICATIONS

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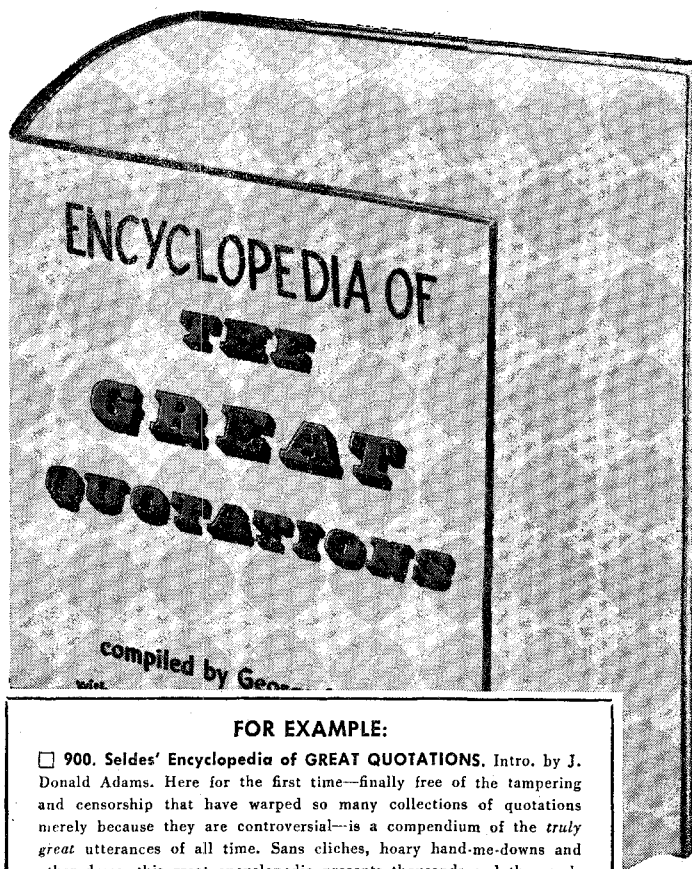
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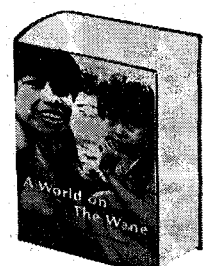
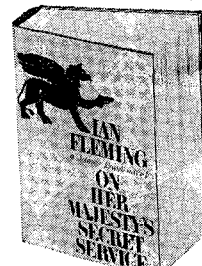
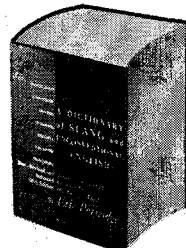
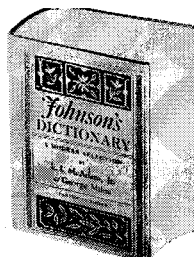
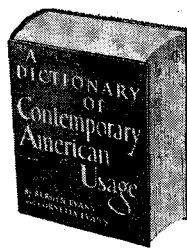
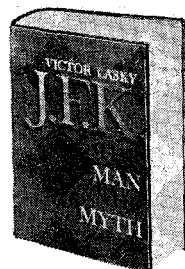
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